

MILPERSMAN 1050-010

DEFINITION OF LEAVE

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Definition.** Leave, as defined in Navy Regulations, is the authorized absence of a member from a place of duty, chargeable against such member according to the Armed Forces Leave Act of 1946, as amended.

2. **Types of Leave.** Following is a classification of leave types in terms of leave accrued, chargeable, non-chargeable, and that subject to checkage:

- a. Earned (accrued) leave
- b. Chargeable leave:
 - (1) Annual (ordinary) leave
 - (2) Emergency leave
 - (3) Advance leave
- c. Leave subject to checkage:
 - Excess leave
- d. Non-chargeable leave:
 - (1) Convalescent leave
 - (2) Graduation leave

3. **Definition 1: Earned Leave.** Earned leave is the term used to describe leave accrued to a member's credit as of any given date.

a. **Minus Leave Credit:** Earned leave may indicate a minus leave credit, but such amount of minus leave credit must not exceed the amount of leave that would normally be earned during the remaining period of obligated active duty.

b. **Excess Leave:** A minus leave credit on date of discharge, effective date of first extension of an enlistment, or separation from active duty is excess leave and is subject to checkage.

c. **Ordinary Accrual Limit:** The account balance of ordinary earned or accrued leave must be reduced to 60 days at the end of the fiscal year, except in the case of Special Accrual.

d. **Special Accrual Limit:** For personnel authorized special leave accrual up to 90 days, while assigned to duty under special circumstances, as defined in MILPERSMAN 1050-070.

4. **Definition 2: Annual Leave.** Annual leave is the term used to describe leave granted in execution of a command's leave program, chargeable to the member's leave account, and is also called ordinary leave, as distinguished from the emergency leave.

5. **Definition 3: Emergency Leave.** Emergency leave is the term used to describe leave granted for a personal or family emergency requiring the member's presence. It is chargeable to the member's leave account.

6. **Definition 4: Advance Leave.** Advance leave is the term used to describe leave granted prior to its accrual to the member's leave account, based on a reasonable expectation that it will be earned by the member during the remaining period of obligated active duty.

7. **Definition 5: Excess Leave.** Excess leave is the term to describe leave granted in excess of earned leave and advance leave and during which the member is not entitled to pay and allowances.

- a. A minus leave balance at the time of
discharge,
first extension of an enlistment,
separation from active duty,
desertion, or
death

shall be considered as excess leave without regard to the authority under which the leave resulting in a minus leave balance was granted.

- b. The pay and allowances received while on excess leave shall be checked upon the member's return from such leave.
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8. **Definition 6: Convalescent Leave.** Convalescent leave is the term used to describe a period of authorized absence granted to persons while under medical care which is part of the care and treatment prescribed for a member's recuperation or convalescence. Convalescent leave is not chargeable to member's leave account.

9. **Definition 7: Graduation Leave.** Graduation leave is the term used to describe a period of authorized absence granted as a delay in reporting to the first duty station in the case of graduates of the Naval Academy who are appointed commissioned officers in the Armed Forces. Graduation leave is not chargeable to member's leave account.

MILPERSMAN 1050-020

ENTITLEMENT TO LEAVE

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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Entitlement**. Each member serving in the Navy on active duty shall be entitled to accrue leave at the rate of 2 ½ calendar days for each month of active duty except for periods listed in the block below.

2. **Exceptions**. Periods of

- a. active duty of less than 30 consecutive days,
 - b. active duty for training with pay of less than 30 consecutive days,
 - c. lost time, and
 - d. excess leave or other periods in a non-pay status.
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MILPERSMAN 1050-030

POLICY CONCERNING GRANTING OF LEAVE

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Policy**. Subject to such supplementary regulations as may be issued by higher authority:

a. Commanding officers or officers in charge may grant leave and liberty to officers and enlisted personnel under their command or in their charge subject to such limitations as are set forth in this article and pursuant to regulations prescribed by the Chief of Naval Operations.

b. The chief or commander of a bureau, command, or office of the Navy Department is authorized to grant leave and liberty to members on duty in their respective bureau, command, or office, pursuant to regulations.

2. **General Objective**

a. Officers authorized to grant leave shall establish and regulate schedules to provide for maximum use of earned leave consistent with

(1) operational and training workloads,

(2) the maintenance of the required degree of operational readiness, and

(3) the desires of the individual members.

b. All personnel shall be provided the time to take leave annually in these programs.

3. **Specific Objective and Rationale.** Officers in command shall encourage and assist all members to use, on the average, their entire 30 days leave each year.

a. The Congress has provided compensation for members who were not able to use their leave because military requirements have prevented it, and personnel should not be required to expend leave immediately prior to separation simply for the purpose of reducing leave balances.

b. On the other hand, use of the leave system as an extra money program, either as a method of compensation or as a career continuation incentive, defeats the intent of the Congress to provide for the health and welfare of service personnel.

c. It is, therefore, specifically intended that large leave balances shall not be accrued expressly for settlement upon separation or release from active duty.

4. **Aggressive Leave Program Rationale**

a. Experience has shown that vacations and short periods of rest from duty provide benefits to morale and motivation which are essential to maintaining maximum effectiveness.

(1) The lack of such respite from the work environment adversely affects health and, therefore, availability and performance.

(2) It also intensifies the separation from home and family that is a normal result of military duties, and of training and operational deployment from home station or homeport.

(3) Thus, it adversely affects attitudes of the family, influencing career motivation and the morale and performance of the member. These are particularly important for those in career service.

(4) They are major considerations in efforts to achieve an all-volunteer force, to increase efficiency while reducing manpower, and to reduce dollar costs.

b. An aggressive leave program is, therefore, an essential military requirement.

c. Persuasive pursuit of these policies at all levels will make a positive contribution to cost savings, to morale, level of performance, and career motivation.

5. Annual Leave Program

a. Commanding officers must establish annual leave programs for their units to provide opportunity for all personnel to take leave, within the constraints of

(1) operational military requirements, and

(2) the degree of support for leave provided in the unit manning document.

b. They must include positive programs to encourage the use of the opportunity to take leave as it is earned as respite from the work environment.

c. Commanding officers shall ensure that the member does not bear the responsibility of locating and arranging for necessary leave reliefs or any other type of duty standby for periods of leave of 4 days or more which have been requested and granted prior to the publication of any conflicting duty list or watch bill.

6. Frequency and Length. To obtain maximum benefit from the objectives of annual leave programs, to both the member and unit, they should provide opportunity to take frequent periods of leave, including the opportunity to take at least one leave period each year, about 14 consecutive days in length, and longer when possible.

7. Refusal to Take Leave

a. Personnel who refuse to take leave, when the opportunity is afforded them on command annual leave programs, shall be counseled regarding their obligation to execute military programs and policies.

b. They should further be cautioned that such refusal may result in the loss of earned leave at a later date.

8. Persistent Refusal

a. Personnel who persistently refuse to take leave, despite counseling, adversely affect the objectives of leave programs.

b. Persistent noncompliance with any military policy must be actively dealt with as a matter of military performance.

9. Successive Leave

a. Personnel should not be granted two or more successive periods of leave without performing duty between the termination of one leave and the commencement of the other, except under emergency or unusual circumstances.

Example: If a member has an approved leave period which terminates on a Friday and has requested another period of leave to commence the following Sunday, then the two leave periods shall be combined into one, or the second period of leave disapproved, unless the member performs duty on the Saturday or Sunday between the two leave periods.

b. This policy is applicable to both regular and holiday weekends.

10. Circumstances for Special Emphasis to Grant Leave. In pursuing maximum use of leave, particular emphasis shall be placed on granting leave in the following circumstances:

- a. Upon permanent change of station (PCS).
- b. After periods of particularly arduous duty and protracted periods of deployment from home station or home port, or when there is evidence of deteriorating health or morale.
- c. Where members or their families have been personally affected by floods, hurricanes, and similar disasters. Depending on the circumstances and the combat readiness requirements of the unit, emergency leave may be appropriate.

d. During the traditional national holiday periods of Thanksgiving and Christmas.

e. For attendance at spiritual retreats or for other religious observances for which liberty is inadequate.

f. Upon reenlistment and augmentation from active reserve to regular status.

g. During the preprocessing period incident to release from active duty, to the extent of unused leave.

h. Upon retirement, when requested, to the extent of unused leave.

11. **Using Advance Leave.** Advance leave is a means whereby members with limited leave accrued may be granted leave to resolve emergency and urgent personal or morale problems. As such, it will reduce the need to accumulate large leave balances as a hedge against future emergencies. Use the table below in determining how advance leave should be granted:

WHEN	THEN	AND
advance leave is authorized,	such advance leave shall normally be limited to the lesser of <ul style="list-style-type: none">• 45 days,• the amount of leave that will be earned during the remaining period of active duty (current enlistment, not including extensions, for enlisted members), or• while serving an extension, to the extent that leave will be accrued prior to date of separation.	

WHEN	THEN	AND
considered necessary, commanding officers may grant advance leave in excess of 45 days,	officers granting advance leave should caution members that advance leave resulting in a minus leave balance on date of discharge, or release from active duty, becomes excess leave,	and is subject to checkage of pay and allowances.
a member is separated more than 3 months before expiration of the current term of service for the purpose of immediate reenlistment,	the unaccrued portion of advance leave previously granted shall be carried forward to the new period of service for charge against leave to be accrued.	
excess leave is authorized in conjunction with advance leave,	care must be taken that leave is not calculated to accrue during the period of excess leave involved. Accrued leave shall be expended prior to advance leave.	<p>NOTE: Advance leave may not be authorized in conjunction with excess leave authorized for members in</p> <ul style="list-style-type: none"> • professional degree, • officer procurement, • punitive discharge, • administrative discharge, or • disability discharge programs.

12. **Granting Leave in Emergency.** Use the table below to determine how leave is to be granted during emergencies:

WHEN	THEN	AND
the aggregate of all leave granted (earned plus advance plus excess) does not exceed 60 days,	commanding officers may normally grant excess leave in emergencies.	
in those instances, where in the commanding officer's judgment, emergency leave which exceeds 60 days, is warranted,	emergency leave in excess of 60 days may be authorized at the command level,	advance leave shall be expended prior to excess leave.
in emergencies requiring absence from duty well in excess of 60 days,	the member will be considered for humanitarian reassignment of a permanent or temporary nature.	
considered appropriate by the commanding officer <ul style="list-style-type: none">• officers serving their initial term of obligated service, and• enlisted personnel with less than 8 years of service,	members may be considered for hardship discharges.	

13. **Proceed and Travel Time Concurrent with Leave.** Proceed and travel time are not authorized in conjunction with leave except in cases where prevailing instructions grant leave as delay in reporting in connection with a transfer.

MILPERSMAN 1050-040

LEAVE FOR MILITARY PERSONNEL

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Governing Directives	DOD Directive 1327.5 of 24 Sept 85 DJMS, Procedures Training Guide (PTG)
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1. **Granting Annual or Emergency Leave**. When dealing with annual or emergency leave requests, commanding officers

a. are encouraged to grant annual leave to personnel when, service requirements permit, to the extent of earned leave plus 30 days advance leave, total not to exceed 60 days at one time, except as regards to reenlistment leave discussed in "Reenlistment Leave" block below.

b. may judiciously authorize any combination of regular, advance, or excess leave for the purpose of granting emergency leave.

2. **Granting PCS Leave**. See table below for granting permanent change of station (PCS) related leave and exceptions thereto:

WHEN ...	THEN ...
a member has been issued PCS orders to a new duty station,	30 days of leave will be authorized, consisting of earned and advance leave only, no excess leave will be authorized. <u>Definition of Excess Leave:</u> Excess leave is defined as leave that cannot be earned prior to expiration of active obligated service.
the following situations occur: <ul style="list-style-type: none">• immediate availabilities from hospitals, alcohol or drug rehabilitation centers,• decommissioning,• separation orders,• a second PCS move within a 12 month period,• a need to meet key deployment,• to or from an SSBN, and• such unusual circumstances as death, illness or detachment for cause.	Exceptions to the 30 day delay may be made.
personnel are returning from overseas isolated duty stations or, in certain instances, upon a member's request,	leave up to 60 days may be granted.

3. **Granting Graduation Leave.** Use the rules in the table below when granting graduation leave to midshipmen:

WHEN ...	THEN ...	AND ...
upon graduation from the Naval Academy, the midshipmen are appointed commissioned officers in the Armed Forces,	graduation leave may be granted not to exceed 60 days, to the extent consistent with service requirements and other exigencies.	
extensions of this graduation leave period are necessary,	the extensions will be charged to the officer's leave account.	
assigning the former midshipmen to their first duty station,	the number of days for graduation leave will be stipulated in the orders, issued by the department concerned.	
in certain cases midshipmen are assigned to temporary duty at the Naval Academy immediately upon graduation,	the graduation leave may be granted by the Superintendent, Naval Academy, commencing on various dates to be determined by the Superintendent.	
as a rule, the Navy Department limits graduation leave to approximately 30 days,	such leave must be completed within 3 months of the date of graduation,	no such leave will be carried forward as credit beyond the date of reporting to the first permanent duty station or to a port of embarkation for permanent duty outside the 48 contiguous United States or in Alaska or Hawaii.

4. **Granting Officer Candidate Leave.** Upon completion of officer candidate training, newly commissioned officers will normally be authorized 30 days leave, advance, if necessary, upon graduation en route to their first permanent duty station.

5. **Granting Reenlistment Leave.** Reenlistment leave, as used in this paragraph, applies to enlistment or reenlistment within 24 hours after discharge. Reenlistment leave will be for one period only and shall not exceed either of the following:

- Earned leave plus 45 days advance leave.
- Maximum of 90 days.

Use the rules in the table below when granting reenlistment leave:

WHEN ...	AND ...	THEN ...
<ul style="list-style-type: none"> • Regular Navy personnel reenlist, • naval reservists on active duty enlist in the Regular Navy, • naval reservists on active duty reenlist in the Naval Reserve, or • Regular Navy personnel enlist in the Naval Reserve, <p>immediately following date of discharge,</p>	are retained on active duty upon enlistment or reenlistment,	leave may be granted as reenlistment leave.
Reenlistment leave commences immediately upon reenlistment,	<p>it yields the maximum benefit as an influence on</p> <ul style="list-style-type: none"> • both the member and family, and • the other members in the command. 	
a course of instruction begins within 30 days of reenlistment,	reenlistment leave may be delayed to commence upon completion of the course of instruction.	
incident to enlistment,	reenlistment leave may be delayed to commence upon transfer from an overseas station.	
service requirements do not permit,	reenlistment leave may be delayed to commence at the earliest practical date thereafter.	
the first leave is taken after reenlistment,	that leave is reenlistment leave, except if it is an emergency leave.	

6. **Granting Additional Advance Leave**. When advance leave has been taken previously and not fully earned, additional advance leave may be granted only in such an amount as will ensure that the total leave advanced, but not yet earned, does not exceed 45 days.

7. **Leave Program Administration**. NAVCOMPT 3065, Leave Request Authorization (officer and enlisted), will

a. **be used for**

(1) granting leave, and

(2) recording the necessary data required for entries in service records and pay records.

b. **not be used for**

(1) granting leave in connection with transfer orders,
or

(2) granting liberty.

c. When leave has been requested and approved, the procedures outlined in DJMS PTG shall be followed.

MILPERSMAN 1050-050

HOSPITALIZATION WHILE ON LEAVE

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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Rules.** Use the rules given in the table below when dealing with members who are hospitalized or placed in "sick-in-quarters (SIQ)" status while on leave:

WHEN ...	THEN ...
personnel are hospitalized or placed on SIQ status by a civilian physician while on leave,	these personnel shall not be charged leave for the period of hospitalization or SIQ status insofar as leave accounting is concerned.
admitted to a non-naval medical facility or SIQ status,	such personnel shall advise their commanding officer as soon as practical and request instructions.
personnel are admitted to naval medical facilities,	the commanding officer of that facility shall notify the member's commanding officer of the member's hospitalization, ensuring that such notification will arrive prior to the expiration of leave, if practical.
member is hospitalized or sick in quarters,	chargeable leave will terminate the day preceding and recommence the day following such status.
a member dies while on leave,	member's account will not be charged for leave on the day death occurs.

2. **Safeguards to Prevent Abuse.** Appropriate safeguards may be established to ensure against abuse of hospitalization/SIQ while in leave status, provided they are consistent with acceptance of certification from civilian authorities in

- a. emergency leave validation,
 - b. compassionate assignments, and
 - c. hardship discharge procedures.
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MILPERSMAN 1050-060

LIMITATIONS ON EARNED LEAVE

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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. Earned Leave Limits

a. Earned leave may exceed 60 days during a fiscal year, but shall be reduced to 60 days as of the first day of the new fiscal year.

b. Leave not to exceed 90 days may be accumulated as defined in MILPERSMAN 1050-070. Leave so accumulated in excess of 60 days shall be lost unless it is used before the end of the third fiscal year after the fiscal year in which the service in that area is terminated.

c. Leave accumulated in excess of the above stipulated limitations, and not used, is irrevocably lost and may not be compensated for in cash. As this policy is based on public law, no waiver authority exists.

2. Limits When Separating, Enlisting, Reenlisting, or Extending. Use the rules specified in the table below to determine earned leave limits during separation, enlistment, reenlistment, or extension:

WHEN ...	AND ...	THEN ...	AND ...
any person is discharged under other than honorable conditions,		that person shall forfeit all earned leave at time of discharge.	
commands desire to maintain the highest standards of conduct and performance,		they may authorize member, who have earned leave to their credit and are in a pay status, leave with pay and allowances, not to exceed the amount of leave accumulated to date plus the leave member will earn while in a full pay and allowance leave status.	
Enlisted members on active duty, who signify their intention to enlist or reenlist in the Regular Navy or Naval Reserve on a date immediately following date of discharge and remain on active duty,	member, who first extend an enlistment, and who are entitled to lump-sum leave payments for unused leave standing to their credit,	the members may elect to sell a portion of the accrued leave,	carry forward the remainder to the new or extended enlistment.

WHEN ...	AND ...	THEN ...	AND ...
personnel are not entitled to a cash settlement,		they shall have unused leave carried over into a new enlistment or an extension of enlistment. This carryover may exceed 60 days.	
a minus leave credit balance exists,		that balance shall not be carried over into a new enlistment or first extension of an enlistment, but shall be considered as excess leave and checked accordingly, except as provided in the article concerning checkage of pay for excess leave.	

MILPERSMAN 1050-070

SPECIAL LEAVE ACCRUAL

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Governing Directives	SECNAVINST 1050.5C DOD Directive 1327.5 of 24 Sept 85 10 U.S.C. 701 37 U.S.C. 501 DFAS-DJMS, Procedures Training Guide (DFAS-PTG)
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1. **Applicability**. The provisions of this article are applicable to all active duty Navy members on and after 1 Oct 1994, per SECNAVINST 1050.5C.

2. **Policy**. It is Navy policy to authorize members to accrue up to 90 days earned leave when assigned to duty under any of the circumstances specified under the "Eligibility Criteria" table.

3. **Eligibility Criteria.** Use the rules in the table below to determine member eligibility for special leave accrual:

WHEN members are ...	AND ...	THEN ...
on active duty for a continuous period of at least 120 days in an area in which they are continuously entitled to hostile fire or imminent danger pay,		members are authorized to accrue up to 90 days earned leave.
serving in a deployable ship, mobile unit or similar duty,	<p>which, because of operational mission requirements, deploys or operates away from its designated home port or home base for a continuous period of:</p> <ul style="list-style-type: none"> • at least 60 days, thus preventing normal use of earned leave before it is lost at the end of the fiscal year, • less than 60 days, 	<p>members are eligible for special leave accrual.</p> <p>members are not eligible for special leave accrual.</p>
Serving in a deployable ship, mobile unit or similar duty, permanently home ported or home based outside of the 50 United States, which is required to maintain a higher than normal condition of readiness inport or at home base,	<ul style="list-style-type: none"> • have deployed or operated away from home port or home base more than 50 percent of the time, thus preventing normal use of earned leave before it is lost at the end of the fiscal year, • personnel have been assigned to a ship or unit for less than 6 months of the fiscal year, 	<p>members are eligible for special leave accrual.</p> <p>members are not eligible for special leave accrual.</p>

WHEN members are ...	AND ...	THEN ...
serving on other prescribed duty, normally for a continuous period of 60 days or more during the fiscal year,	the situation, that is preventing members assigned to such duty from using leave, must have been caused by unscheduled operational commitment, national emergency or crisis or operations in defense of national security. Furthermore, the duty should preclude members from taking leave to reduce their leave balance to 60 days before the end of the fiscal year,	members are authorized the special leave accrual.
serving on unit, headquarters, and supporting staffs are prohibited from taking leave because of their involvement to support a designated contingency operation,		the provisions of the above authority may be extended to these members.
serving in Joint organizations,		determination of eligibility shall be made by the Joint organization in which the member is serving, as authorized by DOD Directive 1327.5.
not losing leave at the end of the fiscal year in which the qualifying period terminates,		these members are not affected by this entitlement regardless of the number of days they served on a qualifying assignment.

4. Verification Process

a. **Declaring Eligibility:** Personnel, who believe they are eligible for the special leave accrual, should declare their eligibility to their commanding officer/officer in charge.

b. **Commanding Officer/Officer in Charge Responsibilities:**

(1) Ensuring personnel under their command are informed of this entitlement.

(2) Ensuring an appropriate service record entry is made for unit deployment dates of departure and arrival for qualifying assignments as described in "Eligibility Criteria" table.

(3) Verifying member's eligibility by service record review. In the absence of adequate documentation, an individual's signed sworn statement based on the "Eligibility Criteria" table is acceptable.

5. Limitations

a. Special leave accrual shall not be used to authorize accumulation of leave in excess of 60 days for personnel who do not manage their leave properly.

(1) Members are expected to take advantage of authorized leave periods and use leave authorized incident to permanent changes of duty.

(2) Leave balances that would have been lost at the end of the fiscal year, regardless of whether the member was assigned to prescribed duty, will not be carried over.

b. The rules in table below specifies when special leave accruals are creditable and when they will be lost, with cross-reference to the "Eligibility Criteria" table:

WHEN ...	THEN ...
special leave accrual is under "Hostile Fire/Imminent Danger," "Deployable Ship/Mobile Unit," or "Other Duty" criterion,	accrual is creditable in the fiscal year in which the required continuous period of duty is reached, but the qualifying duty need not have commenced in that fiscal year.
members are assigned to units permanently home ported or home based outside of the 50 United States as described by the "Deployable Ship/Mobile Unit Overseas" criterion,	special leave accrual is creditable only in a fiscal year during which the member was assigned for at least 6 months.
leave is accrued in excess of 60 days,	it is lost if not used before the end of the third fiscal year following the fiscal year in which the qualifying duty, i.e., deployment, is terminated.
personnel are assigned to a deployable ship or mobile unit,	they may qualify for special leave accrual in the fiscal year prior to the fiscal year the ship or mobile unit returns to home port or home base. In this case, the carry-over period terminates at the end of the third fiscal year after the fiscal year in which the ship or mobile unit returns from a qualifying deployment.
members detach prior to the end of a deployment,	the date of detachment from the deployed unit is the date that normal leave-taking opportunities are considered once again available.

c. **Example 1:**

(1) Member qualifies for fiscal year 1995 special leave accrual.

(2) member's ship or mobile unit returns to home port or home base prior to 1 Oct 1995,

(3) leave accrued in excess of 60 days at the end of fiscal year 1995 must be used by 30 Sep 1998, or

(4) it will be deducted from the member's account.

d. **Example 2:**

(1) Member qualifies for fiscal year 1995 special leave accrual,

(2) member's ship or mobile unit returns to home port or home base on or after 1 Oct 1995,

(3) leave accrued in excess of 60 days at the end of fiscal year 1995 must be used by 30 Sep 1999, or

(4) it will be deducted from the member's account.

6. **Other Special Limits**

a. 10 U.S.C. 701 provides special leave accrual because of reduced leave taking opportunity caused by operational commitment. Consequently, special leave accrual does not apply to individual cases of leave lost due to

(1) hospitalization, or

(2) permanent change of station order modifications.

b. Separation payments for unused accrued leave are limited to 60 days during a military career by 37 U.S.C. 501.

7. **Administration**

a. Disbursing and administrative procedures are contained in the DFAS-CL (DJMS), Procedures Training Guide.

b. Requests for special leave accrual should be submitted via the chain of command to the approving authority no earlier than the end of the fiscal year, and no later than the end of the first quarter of the following fiscal year.

Example: A request for fiscal year 1995 special leave accrual should be submitted after 30 Sep 1995 but not later than 31 Dec 1995.

8. **Request Format**. Requests for special leave accrual, under the "Other Duty" criterion, should provide the following information for all personnel included in the request:

a. Full name, rank/rate, and SSN.

b. Deployments:

(1) Dates, including any deployment period which started in the previous fiscal year and ended in the fiscal year for which special leave accrual is being requested.

(2) Ship or unit with which deployed.

(3) Hostile fire or imminent danger area.

(4) Contingency operations (unclassified), deployed in support of.

c. Factors preventing use of earned leave while not deployed.

d. Number of days lost at fiscal year end.

e. Narrative explaining any special circumstances to be considered by the approving authority.

f. Commanding officer endorsement.

9. **Approving Authority**

a. Commanding officers are delegated authority to grant special leave accrual to members eligible under the following criteria given in the "Eligibility Criteria" table:

Hostile Fire/Imminent Danger,
Deployable Ship/Mobile Unit, and
Deployable Ship/Mobile Unit Overseas.

b. Navy Echelon II Commanders, e.g.,

CINCLANTFLT,
CINCPACFLT,
CINCUSNAVEUR, and
COMUSNAVCENT

have approval authority for special leave accrual under the "Other Duty" criterion.

MILPERSMAN 1050-080

COMPUTATION OF LEAVE - OVERVIEW

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Governing Directives	DOD Directive 1327.5 of 24 Sept 85 DFAS-DJMS Procedures Training Guide (DFAS PTG), Part 1, Chapter 4
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1. **Introduction**. This article on computation of leave has been divided into five individual maps because of its length and complexity, with map titles as listed below.

2. **Purpose**. This article contains general instructions, together with examples, for computing leave that are intended to provide a general understanding of the method of computing leave.

3. **In This Article**. This overview article contains the following sub-titles related to important aspects of computing leave, including detailed examples:

Sub-Title	See MILPERSMAN
General Instructions	1050-081
Examples of Charging Leave, Proceed, and Travel Time	1050-082
Example of Charging Leave During PCS with TDY En Route	1050-083
Examples of Charging Leave When No Travel and Proceed Time Authorized	1050-084
Example of Charging Leave When Unaccounted Time Exists	1050-085

MILPERSMAN 1050-081

COMPUTATION OF LEAVE - GENERAL INSTRUCTIONS

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			FAX	225-3311

Governing Directives	DOD Directive 1327.5 of 24 Sept 85 DFAS-DJMS Procedures Training Guide (DFAS PTG), Part 1, Chapter 4
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1. Instructions

a. The primary responsibility for leave accounting is under the cognizance of the DFAS Cleveland Center.

b. Instructions in this article are intended to provide a general understanding of the method of computing leave.

c. Specific instructions concerning leave accounting are contained in the DJMS PTG.

2. Computing Leave. Leave is credited at the rate of 2 ½ days for each full month on active service.

3. When is Leave Not Creditable

a. Leave is not creditable for any period when the member is in

- (1) a lost time,
- (2) excess leave, or
- (3) other non-pay status.

b. Leave earnings will be reduced for each non-creditable period using the foregoing table.

4. **Computing for Cash Settlement.** Use the rules in table below when making a cash settlement at the end of a period of active service:

WHEN ...	AND ...	THEN ...
leave is computed at the end of a period of active service for the purpose of making cash settlement,	the final leave balance includes a half day total,	the total shall not be advanced to the next higher full day: <ul style="list-style-type: none">• the amount to be paid shall be computed by crediting the member with one-half of a day's entitlement.• the total amount shall be rounded to the nearest penny.
a minus leave balance includes a half-day total,		the minus balance shall be increased to the next highest full day.

5. **Determining Leave Between Permanent Change of Stations (PCS's)**

a. In determining leave between PCS's, work backwards to compute the number of days travel, proceed, and leave, according to MILPERSMAN 1320-090, 1320-100, and 1050-150.

b. If both travel in and out of the continental United States (CONUS) are involved, the allowable travel time IN CONUS and OUT CONUS will be added.

c. The number of days remaining, after deducting the proceed and travel time from the elapsed time, is chargeable as leave.

MILPERSMAN 1050-082

COMPUTATION OF LEAVE - EXAMPLES OF CHARGING LEAVE, PROCEED, AND TRAVEL TIME

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	225-3311

Governing Directive	DFAS-DJMS Procedures Training Guide (DFAS PTG), Part 1, Chapter 4
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1. **Examples.** Five examples are provided illustrating the computation of leave and then how it is charged, together with proceed and travel time, during permanent change of station (PCS).

Example 1

On 1 December the member was detached for PCS transfer from Washington, D.C. to shore duty in San Francisco, California.

On 21 December the member reported to duty station in San Francisco.

EVENT	EVENT DATE	
Detach old permanent duty station (PDS)	1 December	
Report new PDS	21 December	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		20
Travel time allowed		9
Proceed time allowed		0
Travel + proceed time		9
Leave (remaining time)		11
TYPE CHARGED	PERIOD CHARGED	NUMBER OF DAYS
Date detached leave	1-11 December	11
Travel time	12-20 December	9
Date Reported (day of duty)	21 December	

Example 2

On 21 April unaccompanied member detached from Navy Recruiting Station, Norfolk, VA, under PCS orders to NAS, Agana, Guam, M.I., to report to port of embarkation (POE) not later than 0800, 11 May.

On 11 May member reported at 0750 to POE, Travis, AFB, CA, for Government air transportation to Guam. Delayed in Hawaii awaiting further transportation.

On 15 May member arrived NAS, Agana.

EVENT	EVENT DATE	
Detach old PDS	21 April	
Report POE	11 May	
Report new PDS	15 May	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		24
Travel time allowed IN continental United States (CONUS)		1
Travel time allowed OUT CONUS. See NOTE below.		5
Proceed time		4
Travel + proceed time		10
Leave (remaining time)		14
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached - Leave	21 April-4 May	14
Proceed time	5-8 May	4
Travel time	9-14 May	6
Day Reported (day of duty)	15 May	

NOTE: Computed from date of reporting to POE IN CONUS through day of reporting at port of debarkation (POD) in the overseas station. Includes authorized delay awaiting transportation. When computing travel over the International Date Line, consider only calendar days, not actual days.

Example 3

On 3 June member detached from duty station in the Republic of the Philippines under PCS orders to USS SAIL, in port at San Diego, CA.

Authorized 10 days delay in reporting to count as leave and reporting to ship not later than 20 June.

Reported for Government air transportation to CONUS same date. Leave taken IN CONUS.

On 4 June member arrived at POD, Travis Air Force Base, CA.

EVENT	EVENT DATE	
Detach old PDS	3 June	
Report POE	3 June	
Report POD	4 June	
Report ship	20 June	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		17
Travel time allowed OUT CONUS. See NOTE below.		2
Travel time allowed IN CONUS		1
Proceed time		4
Travel + proceed time		7
Leave (remaining time)		9
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached (day of leave)	3 June	
Leave	3-12 June	10
Proceed time	13-16 June	4
Travel time	17-19 June	3
Day Reported (day of duty)	20 June	

NOTE: Computed from day of reporting to POE in the Philippines through day of arrival at POD IN CONUS. When computing travel over the International Date Line, consider only calendar days, not actual days.

Example 4

On 23 July an unaccompanied member detached from duty station in Japan under PCS orders to Naval Shipyard, Boston, MA.

Member was authorized 30 days delay in reporting, to count as leave, and to report to new duty station not later than 6 September. Leave taken in CONUS and OUT CONUS.

During period of 24 July-1 August the member was on leave in Japan.

On 2 August the member reported for Government air transportation to CONUS.

During period of 3-9 August the member was on leave in Hawaii.

On 10 August member arrived at POD, San Francisco, CA.

EVENT	EVENT DATE	
Detach old PDS	23 July	
Report POE	2 August	
Report POD	10 August	
Report new PDS	6 September	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		45
Constructive travel time allowed OUT CONUS. See NOTE below.		2
Travel time allowed IN CONUS		10
Proceed time allowed		4
Travel + proceed time		16
Leave (remaining time)		29
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached - Leave	23 July-20 August	29
Proceed time	21-24 August	4
Travel time	25 August-5 September	12
Date Reported (day of duty)	6 September	

NOTE: For deriving constructive travel time, see MILPERSMAN 1320-80.

Example 5

On 1 August an unaccompanied member detached under PCS orders from Naval Support Activity, Naples, Italy, to Naval Submarine Base, New London, CT.

The member was granted 30 days delay in reporting to count as leave, 4 days proceed time, and 2 days travel time, to report NLT 2400, 6 September.

On 1 August the member arrived at POD, McGuire AFB, NJ.

On 5 September the member reported to Naval Submarine Base, New London, CT, at 2300 hours.

EVENT	EVENT DATE	
Detach old PDS	1 August	
Report POD	1 August	
Report new PDS	5 September	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		35
Travel time allowed OUT CONUS		1
Travel time allowed IN CONUS		1
Proceed time allowed		4
Travel + proceed time		6
Leave (remaining time)		29
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached OUT CONUS and arrived IN CONUS (day of leave)	1 August	
Leave	1-29 August	29
Proceed time	30 August-2 September	4
Travel time	3-4 September	2
Date Reported (day of duty)	5 September	

MILPERSMAN 1050-083

COMPUTATION OF LEAVE - EXAMPLE OF CHARGING LEAVE DURING PCS WITH TDY EN ROUTE

Responsible Office	CNO (N13)	Phone:	DSN	224-5636
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			FAX	225-3311

Governing Directive	DFAS-DJMS Procedures Training Guide (DFAS PTG), Part 1, Chapter 4
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Example 6

On 21 March the member detached for permanent change of station transfer from shore duty Boston to shore duty Great Lakes, with temporary duty (TDY) (9 Apr - 3 May) en route in Detroit.

On 9 April the member reported in to TDY station in Detroit.

On 3 May the member detached from TDY station in Detroit.

On 10 May the member reported in to new duty station, Great Lakes.

EVENT	EVENT DATE	
Detach old permanent duty station (PDS)	21 March	
Report TDY station	9 April	
Detach TDY station	3 May	
Report new PDS	10 May	
COMPUTATION old PDS to TDY station		NUMBER OF DAYS
Total elapsed time		18
Travel time allowed		2
Proceed time allowed		0
Travel + proceed time		2
Leave (remaining time)		17
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached (day of leave)	21 March	
Leave	21 March - 6 April	17
Travel time	7 - 8 April	2
COMPUTATION TDY station to new PDS		NUMBER OF DAYS
Total elapsed time		7
Travel time allowed		1
Leave (remaining time)		6
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached (last day of TDY)	3 May	
Leave	4 - 8 May	5
Travel time	9 May	1
SUMMARY		
Total leave		22
Total travel time		3
Total elapsed time		25

MILPERSMAN 1050-084

COMPUTATION OF LEAVE - EXAMPLES OF CHARGING LEAVE WHEN NO TRAVEL AND PROCEED TIME AUTHORIZED

Responsible Office	CNO (N13)	Phone:	DSN	224-5636
			COM	(703) 614-5636
			FAX	225-3311

Governing Directive	DFAS-DJMS Procedures Training Guide (DFAS PTG), Part 1, Chapter 4
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Example 7

On 19 June member detached under permanent change of station (PCS) orders from Naval Air Facility, Andrews Air Force Base, Washington, D.C. Orders authorized 5 days leave, no proceed time, and no travel time.

At 0800, 25 June the member reported to Naval Station, Washington, D.C.

EVENT	EVENT DATE	
Detach old permanent duty station (PDS)	19 June	
Report new PDS	0800, 25 June	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		5
Leave		5
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached (day of duty)	19 June	
Leave	20 - 24 June	5
Date reported (day of duty)	25 June (reported at or before 0900). See NOTE below.	

NOTE: See MILPERSMAN 1050-150 for applicable rules for charging leave where no travel and proceed authorized.

Example 8

On 23 July, a member, in pay grade E-3, departs Naval Station, Norfolk under PCS orders to NAS Rota, Spain.

Member is ordered to report to NAS Norfolk no later than 1200, 7 August for Government transportation.

Orders authorize 15 days delay in reporting (DELREP), no travel time in Continental United States (CONUS) or proceed time are authorized.

On 7 August member reports at 1000 to NAS Norfolk port of entry (POE).

On 8 August the member arrives at NAS, Rota, Spain.

EVENT	EVENT DATE	
Detach old PDS	23 July	
Report POE	1000, 7 August	
Arrive new PDS	8 August	
COMPUTATION		NUMBER OF DAYS
Total elapsed time		16
Travel time OUT CONUS		2
Leave (remaining time)		14
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Date detached (day of duty)	23 July	
Leave	24 July - 6 August	14 (0900 rule applies)
Travel time (date reported)	7 - 8 August	2

MILPERSMAN 1050-085

COMPUTATION OF LEAVE - EXAMPLE OF CHARGING LEAVE WHEN UNACCOUNTED TIME EXISTS

Responsible Office	CNO (N13)	Phone:	DSN	224-5636
			COM	(703) 614-5636
			FAX	225-3311

Governing Directive	DFAS-DJMS Procedures Training Guide (DFAS PTG), Part 1, Chapter 4
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Example 9

This example deals with a situation where unaccounted for time has been generated by a member. A determination of how the member's time is to be charged has to be made, resulting in one of the following three outcomes:

Unauthorized absence (UA),
Allowable travel time, or
Leave.

On 18 November a member detached for permanent change of station (PCS) transfer from Tulsa, OK, to shore duty in San Francisco, CA, with 12 days delay in reporting to count as leave, no proceed time and 6 days travel time, to report NLT 2400 on 6 December.

On 9 December the member reported to new duty station at 1245 hours.

EVENT	EVENT DATE	
Detach old permanent duty station (PDS)	18 November	
Report new PDS	1245, 9 December	
COMPUTATION		NUMBER OF DAYS
Total actual elapsed time. See Note 1.		22
Travel time allowed		6
Proceed time allowed		0
Leave time allowed		13
Total allowed elapsed time		<u>18</u>
Unaccounted for time		3
If determined to be UA, then:		
TYPE CHARGE	PERIOD CHARGED	NUMBER OF DAYS
Leave	18 - 30 November	13
Travel time	1 - 6 December	6
Lost time	7 - 8 December	2 See NOTE 2.
Duty time	9 December	1
If determined to be allowable travel time, then:		
Leave	18 - 29 November	12
Travel time	30 November - 8 December	9 See NOTE 1.
If determined to be leave, then:		
Leave	18 November - 2 December	15 See NOTE 1.
Travel time	3 - 8 December	6

NOTE 1: Leave, travel, and unaccounted for days were reported on NAVCOMPT 3068, Reporting (Arrival) Endorsement to Orders - (Officer - Enlisted) (OCR), prepared after reporting on 9 December.

NOTE 2: Unauthorized absence and commanding officer's determination were reported on NAVPERS 1070/606, Record of Unauthorized Absence.

MILPERSMAN 1050-090

LEAVE: DAY OF DEPARTURE/RETURN

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD Directive 1327.5 of 24 Sept 85 DJMS Procedures Training Guide (DJMS PTG), Part 1, Chapter 3.
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1. **Policy**. Leave granting authorities may authorize the commencement of leave at any time on a day of duty. Special liberty shall not be granted for the purpose of extending leave. Per DoD Directive 1327.5, Leave and Special Liberty shall **not** be combined.

2. **Leave Accounting**. The DJMS PTG, Part 1, Chapter 3, details specific leave accounting procedures.

3. **Determining Day of Duty or Day of Leave**. Use the rules in table below to determine whether a day of departure or return is to be counted as a day of duty or a day of leave:

WHEN ...	THEN ...
leave commences prior to the expiration of the member's normal working hours,	the day of departure is counted as a day of leave.
leave commences after the expiration of the member's normal working hours,	the day of departure from the duty station is a day of duty not charged as leave.
no duties are scheduled for that day, e.g., regular day off,	leave may commence anytime during the day.
a return is made at or before the commencement of the member's normal working hours,	the day of return from leave shall be counted as a day of duty.
a return is made after the commencement of the member's normal working hours,	the day of return from leave shall be counted as a day of leave.
leave commences and terminates on non-duty days,	one of the days shall be charged as leave.

4. **Examples.** The following examples are set forth in the table below to aid in determining the commencement of leave. In each instance the member works Monday through Friday, 0800 to 1630.

Example #	WHEN ...	THEN ...	AND ...
1	a member wants to commence leave at 1630 on Thursday,	Friday is the first day of chargeable leave,	Thursday is a day of duty.
2	member wants to commence leave at 1200 on Tuesday,	Tuesday will be charged as a day of leave,	special liberty may not be granted at 1200, allowing member to combine special liberty and leave.
	leave is authorized at 1630 on Tuesday,	Tuesday is a day of duty, since member worked until 1630.	
	leave is authorized at 1630 on Monday,	Tuesday is the first day of leave.	
3	member wants to commence leave at 0001 Sunday,	Monday is the first day of leave,	Sunday is counted as a day of duty.
	telephone check-out is authorized,	member must be in the immediate geographic area of their duty station (as defined by the local command).	
	leave period also ends on a non-work day, i.e., weekend or holiday,	one of the days will be charged as a day of leave, regardless of time of departure or return.	

MILPERSMAN 1050-100

LEAVE: CHECK-IN/CHECK-OUT PROCEDURES

Responsible Office	CNO (N13)	Phone:	DSN 225-3304 COM (703) 695-3304 FAX (703) 695-3311
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Governing Directives	DFAS-DJMS Procedure Training Guide (DFAS PTG)
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1. Policy

a. Commanding officers are authorized to permit members departing on and returning from leave to complete the check-out and check-in procedure by telephone.

b. All members shall be cautioned that they must be in the immediate geographic area of their duty station (as defined by the local command) upon commencement and termination of leave by telephone.

c. Permission to check-out and check-in is authorized as a personal convenience of the member and shall not be used as a means of extending the period of absence chargeable as leave.

2. Processing Leave Authorization Part 1. When such telephone procedures are authorized, each member shall complete the following actions:

a. Pick up Part 1 of the leave authorization prior to commencement of leave.

b. Enter the time and date of commencement and termination of leave in the appropriate space and sign the entry immediately after placing each telephone call.

c. Deliver Part 1 to the personnel officer, or other designated officer, at the commencement of the next regular working day subsequent to termination of leave.

3. **Processing Leave Authorization Part 2.** After the member has commenced leave by telephone,

- a. record the hour and date of departure;
 - b. the member designated to perform such duties, properly sign Part 2; and
 - c. distribute the remaining copies as directed in DFAS-PTG.
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4. **Commanding Officer Responsibility and Authority**

a. The commanding officer, and in the case of activities served by a Personnel Support Activity Detachment (PSD), the customer command commanding officer, is responsible for proper compliance with leave policy and regulations.

b. This procedure will both

(1) release the PSD from the burden of investigating some other than standard leave check-in and check-out times, and

(2) continue the authority of the commanding officer to adjust leave check-in and check-out times so that members working weekend shifts or other than "normal" working hours may begin leave on their liberty days or at the end of their workday.

MILPERSMAN 1050-110

ABSENCES OVER LEAVE OR LIBERTY (AOL)

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD 7000.14-R, Department of Defense Financial Management Regulation, Volume 7A (DODFMR)
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1. Rules for Determining and Charging AOL

a. Rules for determining whether absence is unavoidable are contained in Table 1-3-3 of the DODFMR.

b. Use the rules in table below to determine when absences over leave or liberty are chargeable as leave or as lost time:

WHEN absence is over	AND the hour of return is	AND absence is determined to be	THEN it shall be considered as	AND charged as
authorized leave,		unavoidable,	leave	leave.
		avoidable,	absence without leave	lost time.
regular liberty in excess of 24 hours,	at or before 0900,	unavoidable,	leave	leave, starting the day regular liberty status expired through day prior to the day of return.
	After 0900,	unavoidable,	leave	leave, starting the day regular liberty status expired through the day of return.
special liberty in excess of 24 hours, or	at or before 0900,	unavoidable	leave, including the liberty period	leave, starting the day special liberty status commenced through day prior to the day of return.
	After 0900,	unavoidable,	leave, including the liberty period	leave starting the day special liberty status commenced through the day of return.
special liberty and the period of liberty plus absence in excess of 72 hours,	after 0900,	avoidable,	absence without leave	lost time.
	at or before 0900,	unavoidable,	leave, including the liberty period	leave starting the day special liberty status commenced through day prior to the day of return.
	after 0900,	unavoidable,	leave, including the liberty period	leave, starting the day special liberty status commenced through the day of return.

2. Dealing With Special AOL Situations

a. Absences over leave or liberty caused by

(1) mental incapacity,

(2) detention by civilian authorities, or

(3) early departure of a mobile unit due to operational commitments,

whether determined to be avoidable or excused as unavoidable, shall not be charged as leave, regardless of duration.

b. Use the rules in the table below to determine whether a particular special case is to be charged as time served or as lost time:

When absence is due to	AND	THEN
mental incapacity,	is excused as unavoidable,	shall be considered as time served.
	is not excused as unavoidable,	shall be considered as lost time.
detention by civilian authorities,	is not excused as unavoidable,	shall be considered as lost time.
early departure of a mobile unit because of operational commitments,	provided member reports to a naval command,	shall be considered as time served.
certain other unusual circumstances, resulting in a member being absent from the member's duty station,	an exception is considered appropriate by the commanding officer,	details of such cases should be forwarded to Chief of Naval Personnel (N13) for determination.

3. **Computing Leave for Unavoidable AOL.** Periods of absence over regular liberty and special liberty, excused as unavoidable and charged as leave, shall be computed using examples in the table below:

WHEN member departs on	AND member returns at	THEN member is charged
Absence in Excess of 24 Hours Over Regular Liberty		
regular liberty on Friday at 1630, 13 September, to expire on board Monday at 0730, 16 September.	1000, 18 September, with unauthorized absence excused as unavoidable,	3 days leave for period 16-18 September. Comment: day regular liberty expired through day of return, since return was after 0900.
special liberty on Tuesday at 1000, 10 September, to expire on board Wednesday at 0830, 11 September,	1500, 12 September, with unauthorized absence excused as unavoidable,	3 days leave for period 10-12 September. Comment: day special liberty commenced through day of return since period of unauthorized absence exceeded 24 hours. Note: Had the period of unauthorized absence been less than 24 hours, no leave would have been charged.
Total Absence Exceeds 72 Hours		
special liberty on Monday at 1000, 9 September, to expire on board Thursday at 0830, 12 September,	0600, 13 September, with unauthorized absence excused as unavoidable,	4 days leave for period 9-12 September. Comment: day special liberty commenced through day prior to day of return, since member returned prior to 0900, 13 September. Note: The period of unauthorized absence was less than 24 hours, but the period of special liberty plus unauthorized absence exceeded 72 hours.

MILPERSMAN 1050-120

SEPARATION LEAVE

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directive	DFAS-DJMS, Procedures Training Guide (DFAS-PTG)
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1. Policy

a. When consistent with military requirements, a member may be granted leave which expires,

(1) if active duty, on the day of separation without the necessity of returning to the separation site.

(2) if reserve, prior to the effective date of separation in order that allowable travel time can be completed on the separation date.

b. Separation leave is granted by the member's commanding officer according to the command's leave program.

c. Since a member is not required to report to a naval activity for final processing at the expiration of leave, it is imperative that the separating activity accomplish all pre-separation counseling and administrative processing prior to the member's departure for leave.

d. When separation processing has been completed and the member has departed on leave, such leave may be voluntarily terminated only if the member returns to the command or the separation activity maintaining the member's records.

e. Travel to the member's command or the separation activity will be at the member's own expense.

2. **Policy for Deployed Afloat Units and Overseas Activities**

a. Commanding officers of deployed afloat units and overseas activities may authorize separation leave in the member's orders, which direct transfer to a separation activity in the 48 contiguous United States or District of Columbia (D.C.).

b. Use the rules in the table below to determine actions involved in granting separation leave:

WHEN ...	AND ...	THEN ...	AND ...
members are assigned to deployed afloat units or to overseas activities,	desire separation in one of the 48 contiguous United States or D.C.,	members shall be transferred to the separation activity nearest the port of debarkation in one of the contiguous United States or D.C. for separation processing	subsequent granting of separation leave, that is authorized in the member's transfer orders.
For the purpose of separation leave, a member assigned to an overseas activity,	transferred to a separation activity in one of the 48 contiguous United States or D.C.,	member is considered to have fulfilled the prescribed area tour	a request for exception to the prescribed tour is not required.
member is being separated at current duty station outside the 48 contiguous United States or D.C. according to the article on place of separation contained elsewhere in this Manual (see MILPERSMAN 1910-812),		commanding officers of deployed afloat units and overseas commands may grant separation leave to separating members provided <ul style="list-style-type: none"> • enlisted member has signed NAVPERS 1070/613, Administrative Remarks entry, and • officer has signed a letter approved by commanding officer, 	member has acknowledged the statement below:

"I hereby request to be granted (number) days separation leave by (name of command).

I understand that in the event I desire to terminate this leave to reenlist or to continue on active duty I must return to (name and location of command).

I also understand that such return travel is at my own expense and that I have no entitlement to or claim for reimbursement.

I also understand that if I and/or my family members travel at Government expense prior to the effective date of separation to reenlist or to continue on active duty, I will be checked for the amount of Government transportation provided to me and/or my family members."

3. **Policy for Deployable CONUS-Based Units and CONUS Activities.** Use the rules in the table below when granting separation leave to members of CONUS units and activities:

WHEN ...	AND ...	THEN ...
CONUS activities and CONUS-based deployable units (ships, VP, VA, NMCB, etc.,) based in any of the 48 contiguous United states or D.C., are not scheduled to deploy during the period of separation leave,		commanding officers may authorize such leave.
a unit is scheduled to deploy, leave 48 contiguous United States or D.C.	call at a port outside this area, during the period of separation leave,	members desiring separation leave shall be transferred to the nearest separating activity for separation processing.

4. **Prohibited Actions**. The following actions related to the separation leave are prohibited:

a. Separation leave of active duty members shall not delay separation. At the expiration of the leave period the member will be considered separated.

b. Excess leave shall not be granted as part of separation leave.

c. Separation leave shall not be granted for members who are being administratively discharged.

5. **Separation Leave Composition and Limitations**. Separation leave is ordinary leave and shall consist of accrued and advance leave, not to exceed the amount of leave to be earned by actual day of separation.

a. The commanding officer granting separation leave has the authority to authorize the amount of leave the member will accrue to the date of separation, including an amount exceeding 60 days.

b. A member may be granted all or a portion of accrued and advance leave as separation leave, dependent upon military requirements and the desires of the member.

c. Payment, for unused accrued leave at the time of separation, is limited to payment for a maximum of 60 days per career after 9 February 1976, and will be included in the member's final check.

6. **Officer Resignation or Release.** Use the rules in table below when granting separation leave to officers resigning or requesting release:

WHEN ...	AND ...	THEN ...
officer is resigning or requesting release from active duty (RAD),	is submitting resignation/RAD requests to Navy Personnel Command (NAVPERSCOM) (PERS-813/resignations) NAVPERSCOM (PERS-4/RAD),	officer should include a statement concerning the number of days of separation leave approved by their command with command endorsement.
Separation leave cannot be approved at that time (see the rule above),		officer should forward to the appropriate office in the NAVPERSCOM a command endorsed statement of the amount of separation leave authorized, will in advance of receipt of separation order, to ensure separation leave can be completed on the effective date contained in the orders, except as addressed in the General Policy block. Failure to do so may require order modification.

7. **Permissive Actions**. Following is a list of permissive actions relating to separation leave and leave en route, early release, and frequency of use during a career:

a. Separation leave may be granted in conjunction with an early release program.

b. Separation leave may be utilized more than once per career.

8. **Gapping Billets**

a. The granting of separation leave may cause some billets to be necessarily gapped, since the needs of the Navy may preclude providing an early relief for a member who is being separated.

b. Commanding officers authorizing separation leave will do so only when the efficiency and readiness of the command will not be unduly impaired during the period of time when the billet will not be filled.

9. **References**

a. Administrative and disbursing officer procedures are contained in DFAS PPM.

b. Retirement leave is discussed in the article on accrued leave creditable upon retirement (MILPERSMAN 1050-400).

MILPERSMAN 1050-130

EMERGENCY LEAVE

Responsible Office	CNO (N13)	Phone:	DSN	225-3322
			COM	(703) 695-3322
			FAX	225-3311

Governing Directives	OPNAVINST 4650.15 Joint Federal Travel Regulations (JFTR), Volume 1, Chapter 7 DOD Directive 1327.5 of 24 Sept 85
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1. **Policy.** Emergency leave should be granted whenever the circumstances warrant, based on the judgment of the commanding officer and the desire of the member. The determination of which eligible dependents, if any, will travel on funded emergency leave shall be the member's (as defined in OPNAVINST 4650.15 and JFTR, Volume I, Chapter 7). Funding availability is not criteria for making a determination. Since most family emergencies are highly time-dependent, swift and sensitive action on emergency leave requests is essential.

2. **Alternatives to Extended Emergency Leave.** Prior to granting extended emergency leave involving excess leave, consideration shall be given to the possibility of a request for either

- a. a humanitarian duty assignment, or
 - b. a hardship discharge.
-

3. **Verifying that Emergency Exists.** Navy policy does not require the use of the American Red Cross to verify all emergency leave situations; however, when the leave-granting authority is uncertain of the validity of an emergency situation, verification assistance should be requested.

4. **Whom to Contact for Assistance**

a. The commanding officer or the member concerned should request the assistance of the

(1) home port contact officer for deployed members;

(2) the military installation nearest the location of the emergency; or, if necessary,

(3) the American Red Cross

to obtain additional information desired concerning the urgency or necessity of the member's presence.

b. Dependents should be encouraged to request assistance in emergency situations from the

(1) American Red Cross,

(2) member's home port contact officer, or

(3) the nearest Navy or other military activity.

5. **Conditions for Granting Emergency Leave.** Emergency leave is authorized in the circumstances set forth below and normally will be granted provided the military situation permits as determined by the fleet, force, or area commander concerned when the existence of an emergency has been determined by letter, telegram, or telephone call from the

family member,
minister,
attending physician, or
other interested party

to the member's command or to the member concerned.

6. **Definition of Emergency Circumstances.** The emergency circumstances needed for granting emergency leave are defined as follows:

a. **Contribution to Welfare of a Dying Member.** When the return of the service member will contribute to the welfare of a dying member of the service member's or spouse's **immediate family**.

(1) **Definition of "Immediate Family."** The Service-member's or spouse's "immediate family" is defined to consist of the following members:

father,
mother,
person standing in loco parentis,
spouse,
children,
brother,
sister, or
only living relative.

(2) **Definition of "In Loco Parentis."** "In loco parentis" is defined by DOD Directive 1327.5 as a person who stood in place of a parent to the service member 24 hours a day for a period of at least 5 years before the service member became 21 years old or entered military service.

b. **Death.** Upon the death of a member of the service member's or spouse's immediate family.

c. **Accident or Serious Illness.** When an accident to, or serious illness of, a member of a service member's or spouse's immediate family results in a serious family problem and imposes important responsibilities on the member which must be met immediately, and which cannot be accomplished from the member's duty station or by any other individual or means.

d. **Severe and Unusual Hardship.** When failure of the service member to return home would create a severe and unusual hardship on either the member or the member's family.

7. **Members with Infectious or Contagious Disease.** Personnel undergoing treatment for an infectious or contagious disease shall only be granted leave for emergency reasons and then only when supported by a statement from a medical officer that the leave will not jeopardize the public health.

MILPERSMAN 1050-140

COMPUTATION OF EMERGENCY LEAVE INVOLVING GOVERNMENT - FUNDED TRAVEL

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD Directive 1327.5 of 24 Sept 85 Joint Federal Travel Regulations (JFTR), paragraph U7205
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1. **Policy**. The table below specifies the Federal and DOD policy for charging time spent in emergency leave travel.

WHEN emergency leave travel is ...	THEN time spent in emergency leave travel shall ...
authorized at government expense,	not be charged to member's leave account.
not authorized at government expense,	be charged to the member's leave account.

2. Accounting for Government - Funded Emergency Leave Travel.

Emergency leave involving government-funded travel shall be accounted for as specified in the table below:

WHEN emergency leave is taken ...	AND member is ...	THEN ...	AND ...	AND ...
within Conti- nental United States (CONUS)	assigned Permanent Change of Station (PCS) outside CONUS,	emergency leave to visit a place within CONUS shall commence on the day following the date of arrival at the port (or aerial port) of debarkation within CONUS,	the day of arrival within CONUS shall be accounted for as a day of duty,	the time required to travel from the port (or aerial port) of debarkation to the area of the emergency shall be charged as leave.
		member on emergency leave shall be considered as returned to a duty status upon reporting at a port (or aerial port) of embarkation within CONUS for return to duty outside CONUS,	the day of reporting at the port (or aerial port) of embarkation within CONUS shall be accounted for as a day of duty,	the time required to travel from the area of the emergency to the port (or aerial port) of embarkation shall be charged as leave.
within CONUS	(in accordance with JFTR, par. U7205-B) performing Temporary Additional Duty/Tem- porary Duty (TAD/TDY), or is assigned to a ship which is away from its homeport,	government-funded emergency leave travel shall not be charged as leave,	chargeable leave commences the day following the member's arrival at the permanent duty station (PDS), homeport, or other location to which government funded travel is authorized,	the member shall be considered as returned to a duty status upon reporting to the PDS, homeport, or other location as applicable, for return to duty via government- funded transportation. The day of reporting to the PDS, homeport, or other location, shall be accounted for as a day of duty.

WHEN emergency leave is taken ...	AND member is ...	THEN ...	AND ...	AND ...
outside CONUS,		emergency leave to visit a place outside CONUS shall commence on the day following the date of arrival at the port (or aerial port) of debarkation in the area of the emergency,	the day of arrival at the port (or aerial port) of debarkation shall be accounted for as a day of duty.	
		member on emergency leave to visit a place outside CONUS shall be considered as returned to a duty status upon reporting at a port (or aerial port) of embarkation in the area of the emergency, for return to duty,	the day of reporting at the port (or aerial port) of embarkation, in the area of the emergency, shall be accounted for as a day of duty.	
outside CONUS,	authorized emergency leave to visit a location outside CONUS,	government-funded travel (in accordance with JFTR, par. U7205) that requires routing within CONUS, shall not be charged as leave,	travel within CONUS not authorized at government expense shall be charged as leave.	

3. **Illustrative Examples.** The following four emergency leave examples are provided to illustrate likely scenarios. They assume government-funded transportation is authorized, in accordance with JFTR, par. U7205.

Example 1: Out CONUS PCS - In CONUS Leave. Member assigned PCS outside CONUS and is on emergency leave in CONUS:

Event	Location	Date	Remarks
departs	Germany	1 July	duty station in Germany
arrives	Philadelphia PA	2 July	aerial port of debarkation
departs	Philadelphia PA	2 July	
arrives	San Francisco CA	2 July	area of emergency
departs	San Francisco CA	8 August	the period 3 July to 8 August inclusive chargeable as leave
arrives	Philadelphia PA	9 August	aerial port of embarkation; await government-funded transportation - the day 9 August not chargeable as leave
departs	Philadelphia PA	10 August	
arrives	Germany	11 August	duty station in Germany

Example 2: Out CONUS PCS - Out CONUS Leave. Member assigned PCS outside CONUS and is on emergency leave at different location outside CONUS:

Event	Location	Date	Remarks
departs	Germany	1 July	duty station in Germany
arrives	McGuire AFB NJ	2 July	
departs	McGuire AFB NJ	2 July	
arrives	Travis AFB CA	4 July	
departs	Travis AFB CA	5 July	
arrives	Hickam AFB HI	6 July	aerial port of debarkation
departs	Hickam AFB HI	6 July	emergency leave in Hawaii
arrives	Hickam AFB HI	8 August	the period 7 July to 7 August inclusive chargeable as leave; aerial port of embarkation - awaiting transportation for return to duty
departs	Hickam AFB HI	12 August	the days 8 to 11 August inclusive not chargeable as leave - member awaiting government-funded transportation
arrives	Travis AFB CA	13 August	
departs	Travis AFB CA	13 August	
arrives	McGuire AFB NJ	16 August	
departs	McGuire AFB NJ	18 August	
arrives	Germany	19 August	duty station in Germany

Example 3: In CONUS PCS - Out CONUS Leave. Member assigned PCS in CONUS and is on emergency leave outside CONUS:

Event	Location	Date	Remarks
departs	Norfolk VA	1 July	departs duty station after normal work hours
arrives	Los Angeles International Airport CA	3 July	travels at own expense aerial port of embarkation
departs	Los Angeles International Airport CA	4 July	on government-funded flight
arrives	Manila International Airport PI	6 July	aerial port of debarkation
departs	Manila International Airport PI	6 July	departs on emergency leave in Philippines; the period 7 July to 6 August inclusive chargeable as leave
arrives	Manila International Airport PI	7 August	aerial port of embarkation; awaiting government-funded transportation for return to duty;
departs	Manila International Airport PI	8 August	the days 3 July and 7 August not chargeable as leave - member awaiting government-funded transportation
arrives	Los Angeles International Airport CA	9 August	aerial port of debarkation
departs	Los Angeles International Airport CA	9 August	at own expense
arrives	Norfolk VA	11 August	arrives at duty station after normal working hours; the days 2 July and 10 and 11 August charged as leave - days of travel within CONUS, not authorized at government expense

Example 4: In CONUS PCS - In CONUS Leave. Member is assigned PCS in CONUS and is on emergency leave in CONUS. Member is assigned to a ship homeported in Norfolk VA; member's ship is conducting a port visit in New Orleans LA.

Event	Location	Date	Remarks
departs	New Orleans LA	1 July	departs ship via government-funded transportation
arrives	Norfolk VA	2 July	
departs	Norfolk VA	2 July	commences emergency leave; the period 3 July to 1 August inclusive chargeable as leave
arrives	Norfolk VA	2 August	the days 2 and 3 August not chargeable as leave - member awaiting government-funded transportation
departs	Norfolk VA	4 August	
arrives	Pensacola FL	5 August	arrives aboard ship

4. **Actual Period to be charged as Leave**

a. The actual period to be charged as emergency leave shall be determined by "in" and "out" endorsements on leave authorization or travel orders.

b. When this is impossible or impractical to obtain, the member shall furnish a complete itinerary, including

(1) dates,

(2) hours, and

(3) places of all departures and arrivals.

c. This itinerary shall be used to compute the leave period.

MILPERSMAN 1050-150

LEAVE EN ROUTE IN EXECUTION OF ORDERS

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD Directive 1327.5 of 24 Sept 85
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1. **General Policy**. Any delay authorized in orders directing a permanent change of station (PCS) in excess of allowed proceed time or travel time is chargeable to leave.

2. **Specific Policy**

a. Authorized delay granted in PCS orders may be expressed

(1) in the form of number of days, or

(2) as a specific DELREP date, and may include excess leave in those instances considered necessary by the commanding officer.

b. When the orders direct the reporting at one or more places for Temporary Duty (TEM DU), Temporary Duty Under Instruction (TEM DUINS), Temporary Duty Involving Flight Operations (TEM DIFOPS), or TEM DIFINSOPS, en route to a new ultimate permanent or temporary duty station, the orders may stipulate a "not earlier than" and/or "not later than" date to report at one or more of such places.

(1) The total number of days delay authorized in orders may be exceeded provided neither the detaching month nor the report-no-later-than date is affected.

(2) Any travel time in excess of constructive travel time allowed by the direct route shall be charged as leave.

(3) Any cost of travel in excess of that allowed over the direct route shall be borne by the member.

3. **When May Delay be Taken.** Unless otherwise precluded by the terms of the orders and without being specifically stated in the orders, any portion of delay authorized in PCS orders, including those directing consecutive tours of overseas duty, may, at the discretion of the member and as appropriate according to the location of old and new duty stations, be taken prior to or after

a. arrival in the 48 contiguous United States or District of Columbia,

b. reporting to TEMDU station(s) en route, or

c. departure from the contiguous 48 United States or District of Columbia.

NOTE: Delay to be used in visiting foreign countries requires compliance with the article on visits to foreign countries.

4. **Rule for Use of Authorized Delays for Officers at POE's**

a. **When** PCS orders for officers authorize delay in reporting for a specific number of days or until a specific date at the port of entry (POE) for transportation to a new destination,

b. **then** such orders preclude the use of the authorized delay after departure from the POE,

c. **and** the date of reporting at the POE must be met unless the orders are modified to the contrary.

5. **Address Changes.** Keep old and new duty stations advised of address.

6. **Charging Leave, Proceed, and Travel Time**. Proceed time, travel time, and leave are charged in that order. Only that portion of the period between stations which is not authorized as proceed or travel time is chargeable as leave, except that travel time authorized in the orders but in excess of the time properly allowable will be charged as leave. Use the rules in the table below to charge leave or proceed/travel time for given special circumstances:

WHEN ...	THEN ...
the member reports for duty at the new duty station before the stipulated reporting date,	the member shall not be charged with leave equal to the full amount authorized in the orders, but with only so much of it as is actually used after proceed and/or travel time have been deducted.
only proceed and travel time are involved, i.e., leave is not authorized or the member uses a period of time less than the properly allowable combined total of proceed and travel time,	proceed time shall be reduced to the time remaining, if any, after the allowable travel time has been deducted.

7. **Examples**. The following examples are set forth in the table following to aid in determining reporting dates, inclusive leave dates, and amount of leave used. The examples are given in the context of two situations, where the orders authorize

- a. proceed, travel, and leave time.
- b. only leave time.

IF orders authorized	AND if the member	THEN
4 days proceed, 3 days travel, 10 days leave, and departure date is 1 August,	used the maximum time allotted,	the periods would be accounted for as follows: <ul style="list-style-type: none"> • 1 August - date detached (day of duty). • 1 to 10 August, inclusive - period of leave. • 11 to 14 August, inclusive - proceed time. • 15 to 17 August, inclusive - travel time. • 18 August, day reported is day of duty.
	reports on 15 August,	the periods would be accounted for as follows: <ul style="list-style-type: none"> • 1 August - detached • 1 to 7 August, inclusive - period of leave (7 days). • 8 to 11 August, inclusive - proceed time. • 12 to 14 August, inclusive - travel time. • 15 August - date reported is day of duty.
	reports on 7 August	the periods would be accounted for as follows: <ul style="list-style-type: none"> • 1 August - date detached. • 1 to 3 August, inclusive - proceed time. • 4 to 6 August, inclusive - travel time. • 7 August - Report date (day of duty).
10 days leave, no proceed time, no travel time, and date of detachment is 1 August,	used the maximum time allotted,	the periods would be accounted for as follows: <ul style="list-style-type: none"> • 1 August - date detached. • 1 to 10 August - leave period. • 12 August - reporting date (day of duty).

MILPERSMAN 1050-160

LEAVE DURING TEMPORARY DUTY OR TEMPORARY ADDITIONAL DUTY

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Rules for Leave During Temporary Duty or Temporary Additional Duty.** Use the rules in table below when granting leave during temporary duty (TDY) or temporary additional duty (TAD) or when ordering to TDY/TAD from leave status:

WHEN ...	AND ...	THEN ...	AND ...	AND ...
leave is granted at a TAD station,	the member's pay record is not in the custody of the TAD station,	the original Leave Request/Authorization form, NAVCOMPT 3065, will be forwarded to the PDS upon the member's return from leave for recording the leave taken.		
personnel, ordered to TDY or TAD while on leave and when ordered to resume leave status upon completion of such duty, enter into a duty status upon departing from their leave address in compliance with such orders,		upon completion of such TDY or TAD, personnel so ordered shall, unless otherwise directed in the orders, revert to leave status upon arrival at their leave address for the unexpired portion of the leave previously granted,	a charge against leave shall not be made for the period of such duty, including the time required to travel to and from the leave address in the execution of such duty via the mode of transportation authorized in the orders,	personnel so ordered shall endorse on their orders the date and hour of departure from and return to their leave address.
member is on authorized leave,	it becomes necessary to recall the member to duty for reasons of military necessity,	the period of absence shall not be charged to the leave account when the period between departure on leave and the member's receipt of the recall is 72 hours or less,	the remaining time of absences is to be considered travel time, unless it is clearly excessive, in the circumstances, then the entire absence will be charged as leave. Also see note below.	

NOTE: In circumstances where the member will be entitled to travel reimbursement, orders authorizing travel should be issued.

MILPERSMAN 1050-170

LEAVE IN CONJUNCTION WITH TEMPORARY ADDITIONAL DUTY

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
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			FAX	(703) 695-3311

Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Policy.** Leave shall be granted with temporary additional duty (TAD) whenever requested and operationally feasible.

a. This is a particularly useful way to increase the use of leave in mobile units.

b. The amount of leave to be granted with TAD, however, shall not exceed 30 days, unless the leave is emergency leave.

2. **Avoiding Negatives of Concurrent Leave and TAD**

a. Government agencies have been criticized in the past for permitting officer and enlisted personnel to take leave with TAD, where it could be construed that the TAD was arranged both as to time and place in order to provide transportation for leave at government expense.

b. In planning TAD, both the fact and the appearance of TAD arranged to serve the leave desires of the individual shall be scrupulously avoided.

3. **Is TAD Essential?** Great care must be taken to ensure that when leave is granted with TAD

a. it is clear the TAD is essential, and

b. no additional cost to the government is involved.

4. **Travel by Privately Owned Conveyance.** Travel by privately owned conveyance (POC) should not be authorized except "For Convenience of the Member" in TAD orders, which authorizes leave except when POC will be less costly than anticipated

- a. per diem,
 - b. taxi fares, and
 - c. gratuities.
-

5. **Payment of Per Diem**

a. Payment of per diem incident to reporting for TAD earlier than the date specified in the orders is not authorized.

b. To prevent penalty to the service member it is, therefore, incumbent upon the officer authorizing the TAD and leave

(1) to ascertain the member's leave desires, and

(2) to ensure that the orders are written to suit the travel time and desired leave involved.

6. **Issuing Leave Form.** NAVCOMPT 3065, Leave Request/Authorization, with Leave Control Number (LCN), shall be issued for personnel who are approved for leave with TAD. Approved leave period and LCN shall be annotated on the TAD orders.

MILPERSMAN 1050-180

CONVALESCENT LEAVE

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD Directive 1327.5 of 24 Sept 85 DFAS-DJMS, Procedures Training Guide (DFAS PTG)
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1. **Authority to Grant Convalescent Leave.** Unless otherwise indicated, convalescent leave shall be granted only when recommended by Chief, Bureau of Medicine and Surgery, through action taken upon the report by a medical board or the recommended findings of a physical evaluation board, or higher authority.

2. **Who May Grant Convalescent Leave.** The following individuals in positions of authority may grant convalescent leave to active duty Navy patients subject to a set of conditions:

a. a member's commanding officer (upon advice of attending physician);

b. commanders of Navy, Army, or Air Force medical facilities, for personnel hospitalized therein; or

c. the commanding officer of the nearest naval hospital for personnel hospitalized in U.S. Public Health Service hospitals or civilian hospitals; and

d. managers of Veterans Administration hospitals within the 50 United States or in Puerto Rico, may grant convalescent leave to active duty Navy patients, with or without reference to a medical board, a physical evaluation board, or higher authority provided that the conditions stated below are met.

3. **Conditions for Granting Convalescent Leave.** All of the following conditions must be met before convalescent leave may be granted:

a. The convalescent leave is being granted subsequent to and because of a period of hospitalization. Hospitalization is defined as formal admission to a medical treatment facility.

b. The member is not awaiting disciplinary action or separation from the service for medical or administrative reasons.

c. The medical officer in charge of the case considers the convalescent leave to be beneficial to the patient's health.

d. The medical officer in charge of the case certifies

(1) the patient is not fit for duty,

(2) the patient will not need hospital treatment during the convalescent leave period contemplated, and

(3) such leave will not delay final disposition of the case.

4. **Providing Recovery After Birth.** To provide an appropriate recovery period for servicemembers who give birth, convalescent leave will normally be granted for 42 days following any uncomplicated delivery. Servicemembers on such convalescent leave may, with their physician's concurrence, terminate their leave status sooner.

5. **Maximum Allowable Leave Rate**

a. When considered necessary by the attending physician convalescent leave may be granted to members on active duty by the member's commanding officer or the hospital's commanding officer for a period of up to 30 days per period of hospitalization.

b. In instances where care is not provided by a federal military hospital, up to 30 days convalescent leave

may be granted by the member's commanding officer upon the recommendation of the attending physician.

6. **Exercising Care in Granting Leave**

a. Care shall be exercised in granting convalescent leave to limit the duration of such leave to that which is essential in relation to

- (1) diagnosis,
- (2) prognosis,
- (3) estimated duration of treatment, and
- (4) probable final disposition of the patient.

b. Care should be exercised to keep convalescent leave to the minimum amounts required to enable recuperation. The medical treatment facility commanding officer may extend convalescent leave beyond the above time frames if the member's parent command concurs.

c. If considered necessary, the member's commanding officer may require patients receiving care at a facility other than a federal military hospital to be examined by a military medical treatment facility prior to the authorization of additional convalescent leave.

d. Convalescent leave should not delay processing of medical boards or administrative disposition of the member. Members awaiting physical evaluation board (PEB) action may be placed on convalescent leave, but must remain in the local area. Only the PEB may grant exceptions to this policy.

7. **Granting Leave to POW's.** Chief of Naval Operations (N130) may grant convalescent leave to repatriated prisoners of war upon their transfer or detachment to the United States with or without action by a medical board or physical evaluation board.

MILPERSMAN 1050-190

SICK IN QUARTERS (SIQ) STATUS

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
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Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Definition.** A member is in this status when excused from duty for treatment, or "medically directed" self-treatment, in home, barracks, or other non-hospital facilities, hotel, motel, occupying beds in dispensaries, etc.

2. **Maximum Time in Status.** The length of time an individual may be placed in this status

- a. should normally be no greater than 72 hours, but
 - b. may be extended to a maximum period of 14 days, when medically directed.
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MILPERSMAN 1050-200

REST AND RECUPERATION ON LEAVE

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. What Is R&R?

a. R&R is granted in conjunction with rest and recuperation program established:

(1) in areas designated for imminent danger or hostile fire pay, and

(2) when operational military considerations preclude the full execution of ordinary annual leave programs.

b. Leave granted in connection with authorized R&R programs is chargeable to the member's leave account.

2. How R&R Is Established. R&R leave program must be established with the approval of the Office of the Secretary of Defense (OSD) to aid in meeting the aims of the leave and liberty programs in combat areas.

3. What Criteria and Restraints Apply. When establishing R&R programs, the following criteria and restraints must be included:

a. The area must be an area designated for imminent danger of hostile fire pay.

b. Tours of duty in the area must be unaccompanied tours.

c. Ordinary annual leave programs must have been restricted for reasons of military necessity.

d. The area must be an area in which entry of personnel on official or unofficial travel is controlled.

e. Transportation to and from R&R areas is to be provided on a space-required basis, and travel time shall not be charged to the member's leave account.

f. R&R periods must be limited to one per 12 month period.

g. The program must include provisions to prevent the combination of R&R leave with

(1) liberty,

(2) administrative absences, and

(3) temporary duty or travel for other purposes.

MILPERSMAN 1050-210

ENVIRONMENTAL AND MORALE LEAVE (EML)

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
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Governing Directives	OPNAVINST 4630.25C DOD 4515.13-R.5 DOD Directive 1327.5 of 24 Sept 85
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1. What Is EML?

a. EML programs are established at overseas installations, where adverse environmental conditions require specific arrangements for leave in more desirable places at periodic intervals.

b. EML programs involve space-available travel privileges according to OPNAVINST 4630.25C and DOD 4515.13-R.5.

c. The leave taken under the EML program is ordinary leave chargeable to the member's account.

2. Limitations

a. Members, regardless of their accompanied status, and/or their family members may be provided space available air transportation from EML destination site. The member's family must be command sponsored to participate.

b. In addition, participants may take no more than **two** EML trips per year.

c. Except those servicemembers assigned to dependent-restricted areas, EML trips for the servicemember may not be taken within 6 months of the beginning or end of the member's tour of duty at the eligible location.

3. **Unified Command Programs**. Unified commanders may establish EML programs in their geographical areas of responsibility, where adverse environmental conditions exist which would offset the full benefit of annual leave programs. Environmental leave programs are intended to supplement in-country leave schedules established in execution of basic leave policy. These programs must include criteria and restraints identified below.

4. **Installation Selection Criteria**.

a. Installations selected to participate must be limited to those which have one or more of the following deficiencies:

(1) Extraordinary **difficult living conditions**, including

- (a) geographic isolation,
- (b) inadequate commercial transportation, and
- (c) lack of adequate cultural and recreational opportunities.

(2) Notably **unhealthful conditions**, including

- (a) lack of public sanitation,
- (b) inadequate health control measures, and
- (c) a high incidence of diseases and epidemics.

(3) Excessive **physical hardship** from

- (a) climate,
- (b) altitude, or
- (c) dangerous conditions affecting life physical well being or mental health.

b. Installations selected to participate must have prescribed tour lengths for accompanied personnel which are shorter than 36 months, the standard overseas tour length for accompanied personnel.

c. Installations selected to participate must be specifically designated as EML origination sites.

5. **Other Criteria and Limitations**

a. Places to which EML program personnel may go must be designated for each origination site. Selection should be based on

(1) proximity,

(2) adequacy of cultural and recreational opportunities,
and

(3) availability of space-available travel resources.

b. Environmental and morale leave origination sites should not be specified as EML destination sites.

c. Since air transportation regulations basically provide for only one trip per year under EML authorizations, the maximum amount of leave feasible in the command annual leave schedule should be authorized. In-country leave should also be scheduled.

d. The entire authorized absence, including time spent in a travel status, is charged to the member's leave account.

e. Great care must be exercised in the execution of leave authorizations in conjunction with

(1) temporary additional duty, or

(2) temporary duty.

MILPERSMAN 1050-220

RECRUITING ASSISTANCE LEAVE PROGRAM

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
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			FAX	(703) 695-3311

1. What Is the Recruiting Assistance Leave Program?

a. Members on regular leave between "A" or "C" school or apprenticeship training and their first permanent duty station may participate in a program of 5 consecutive days of assistance to recruiting.

b. This assistance includes but is not limited to the following items:

- (1) regularly scheduled school canvassing visits,
- (2) speaking at recruiting functions and civic activities,
- (3) follow-up of PRO-NAVY-RTC referrals, and
- (4) accompanying recruiters on home visits.

2. How to Document Participation

a. After completion of recruiting assistance, members must obtain documentation of participation by endorsement from the Navy Recruiting District.

b. Upon reporting to next duty station, such documentation will constitute the authority for personnel officers and personnel support activity detachments to credit member with up to 5 days of non-chargeable leave.

MILPERSMAN 1050-230

LEAVE FOR MIDSHIPMEN

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

1. Leave for Midshipmen

a. Superintendent, United States Naval Academy, may grant leave to midshipmen

(1) under such policies and procedures as the Superintendent may prescribe, and

(2) in such amounts as are not inconsistent with the objectives of the academic and practical curricula.

b. Such leave as may be granted will be granted as a privilege and midshipmen will not be considered to "earn" leave as an accessory to their duty.

2. Policy for Naval Reserve Midshipmen

a. Midshipmen, Naval Reserve, under instruction at civilian institutions, are on inactive duty and neither earn nor use leave in a military sense.

b. Commanding officers, to whom midshipmen report for training duty, may grant short periods of leave for recreation in such amounts as are not inconsistent with the training program.

MILPERSMAN 1050-240

LEAVE FOR NAVAL ACADEMY MIDSHIPMEN CANDIDATES WHO ARE GRADUATES OF NAVAL ACADEMY PREPARATORY SCHOOL

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

1. **Article Purpose.** This article pertains to leave granted to midshipmen candidates between graduation from Naval Academy Preparatory School (NAPS) and entrance into the Naval Academy.

2. **Authority to Grant Leave**

a. Commanding Officer, Naval Academy Preparatory School, is authorized to place in a leave without pay (LWOP) status, with their consent, those midshipmen candidates who have graduated from NAPS.

b. Accrued leave shall be expended prior to placing a midshipman candidate in a LWOP status.

3. **Rights While in LWOP Status.** While in a LWOP status, midshipmen candidates

- a. are not entitled to pay and allowances;
- b. are subject to court-martial jurisdiction;
- c. are entitled to Navy hospitalization, if injured; and
- d. do not earn leave.

4. **What LWOP Periods are Creditable For.** Periods of LWOP, as a midshipmen candidate, are creditable for

- a. basic pay computation purposes,
- b. computing retired pay based on years of service, and
- c. determining eligibility for voluntary retirement.

MILPERSMAN 1050-250

FOREIGN LEAVE TRAVEL

Responsible Office	NAVPERSCOM (PERS-454C)	Phone:	DSN COM FAX	882-4200 (901) 874-4200 882-2693
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Governing Directives	BUPERSINST 1050.11G NAVPERS 15559B, Officer Transfer Manual, Chapter 2 NAVPERS 15909F, Enlisted Transfer Manual, Chapter 23 OPNAVINSTINST 4650.15 NAVMEDCOMINST 6230.3
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1. **Policy.** Navy personnel may visit any place outside the United States without obtaining permission from Navy Personnel Command (NAVPERSCOM) except those countries and places specified in BUPERSINST 1050.11G. The responsibility for obtaining travel information and for complying with the laws of the countries and/or places to be visited rests with the prospective traveler. Members planning to travel with family members should be aware that the requirements for civilians are not necessarily the same as those for military personnel.

2. **Foreign Leave Travel Authorization.** Unless prohibited by competent authority, commanding officers may, under this article, authorize foreign leave travel to those countries and places not requiring prior approval by NAVPERSCOM. Policy pertaining to the granting of foreign leave travel in connection with temporary additional duty orders is contained in NAVPERS 15559, Chapter 2 and NAVPERS 15909F, Chapter 23. Policy for members wishing foreign leave travel authorization in connection with permanent change of station (PCS) orders is contained in OPNAVINST 4650.15.

NOTE: Foreign leave shall not be granted to a member who is in a disciplinary status, is under investigation for a criminal charge or security violation, or is considered not to be a creditable representative of the Navy.

3. **Special Request.** Personnel desiring to visit countries and/or places specified in BUPERSINST 1050.11G requiring prior approval by NAVPERSCOM, may submit a request in triplicate to NAVPERSCOM (PERS-454), via their commanding officer or reporting senior. The endorsement shall include a recommendation for approval or disapproval. Requests shall state the time period in

which leave travel will take place and whether the travel will be undertaken during regular leave or during delay authorized in PCS orders. For members with PCS orders in hand, a copy of the orders shall be enclosed with the request. Requests should be forwarded in time to allow a minimum of 3 weeks processing time but not more than 3 months prior to the planned commencement of travel. Message replies will be made only in extreme cases fully documented on the incoming request. Background information is required in requests for travel to countries specified in BUPERSINST 1050.11G as follows:

- a. Border crossing points and dates, complete itinerary within each country to be visited, and method of travel in each country.
- b. Full name, with date and place of birth, of each family member who would accompany the member.
- c. Name, relationship, and address of any relatives residing in each country to be visited, if applicable.
- d. Name, relationship, and address of any person to be visited in each country, if applicable.
- e. Security clearance held.
- f. Sensitivity of recent past and present assignments
- g. Passport number, date, and place of issue (including that information for family members who will accompany the member).
- h. Specify reasons why travel is desired.

NOTE: Personnel visiting or traveling through Communist controlled countries should not deviate from approved planned leave/travel itineraries.

4. Alien Members/ Dual National Members

a. Alien members of the naval service who return to their country of origin may be subject to certain impositions or controls by the laws of that country which could result in considerable inconvenience or hardship. In some cases alien members have been drafted into the armed forces of their native country or prosecuted for draft evasion. Similar problems may also be encountered by dual national members of the naval service who visit their non-U.S. country of nationality. Generally, such dual nationality may arise in the following cases:

(1) Member born in foreign territory to parents at least one of whom is a U.S. citizen.

(2) Member born in the United States to parents at least one of whom is a citizen of another country.

(3) Member born with one parent who is a United States citizen and one parent who is a citizen of another country regardless of place of birth.

(4) Member born in foreign territory to non-U.S. citizen parents and member eventually becomes a naturalized U.S. citizen.

b. In some cases, the problems of dual nationals are resolved by an international protocol relating to military obligation of dual nationals. The inconveniences and/or legal difficulties of alien or dual national members are minimized to some extent by agreements concerning the status of U.S. forces. However, such agreements have not been concluded with all countries and usually apply only when the member is on official duty assignment in the country concerned. In order to reduce the potential for such problems, members taking leave to a country of which they are a citizen (except in the case of the Philippines covered in MILPERSMAN 1050-260) should verify that no problem with the other country's draft laws is anticipated prior to commencing travel to such country. In this regard, assistance may be obtained from the Office of the Judge Advocate General (International Law Division), Navy Department, Washington, D.C. 20350.

5. Passports and Visas

a. Requirements for passports vary in each country. It is strongly recommended that members and their families apply for a tourist passport if there is any doubt as to whether one will be needed.

b. Military personnel are not required to obtain visas for many countries provided they present proper military identification. The DD 2, Armed Forces Identification Card (ACT), is the minimum requirement. Temporary ID cards are not acceptable in most countries. Visas may be obtained in the principal cities of the world from the embassy or a consulate of the country to be visited. The addresses of foreign diplomatic representatives and foreign counselor offices in the United States are listed in the Congressional Directory which is readily available in naval general libraries and most public libraries in the United States.

6. **NATO Countries**. Military personnel performing leave travel in or through NATO countries shall carry in addition to PCS orders or leave authorization, an executed copy of their NAVEURGEN 1320/2, Armed Forces Leave Orders, in compliance with the Status of Forces Agreement. A supply of NAVEURGEN 1320/2 may be reproduced locally utilizing BUPERSINST 1050.11G. The NATO countries normally accept the NAVEURGEN 1320/2, exempting the bearer from the passport and visa. Family members are required to hold a valid passport in which they are described as accompanying a member of a force. The NATO countries are:

Belgium	Luxembourg
Canada	Norway
Denmark	Portugal
Germany	Spain
France	The Netherlands
Greece	Turkey
Iceland	United Kingdom
Italy	United States

7. **Immunization Requirements**. Navy personnel and their family members shall follow the immunization requirements for foreign leave travel per NAVMEDCOMINST 6230.3.

8. **MAC Transportation**

a. The member who is performing the travel is responsible for making transportation arrangements. "Space available" accommodations for leave travel via the Military Airlift Command (MAC) can be expected to be very difficult to obtain and may be available only to intermediate or adjacent destinations. It is imperative that personnel attempting to travel on a space-available basis have sufficient funds to defray travel expenses via commercial means and to cover the cost of hotel accommodations when delayed or when passage by MAC is unobtainable.

b. Navy personnel on leave or liberty will be in an appropriate uniform when traveling on DOD-owned or controlled aircraft unless civilian attire is authorized due to local extenuating circumstances for political or personal safety reasons or as required by the Foreign Clearance Guide. This policy applies to personnel traveling on military and MAC-contracted (Category B) civil aircraft departing from military airfields and commercial gateways. Refer to the current issue of the Foreign Clearance Guide regarding individual country's uniform and civilian clothing restrictions. In compliance with regulations governing MAC transportation, all countries through which travel is or may be required shall be specifically listed

on the leave authorization or in the detaching endorsement on PCS orders.

MILPERSMAN 1050-260

LEAVE/EMERGENCY LEAVE IN THE REPUBLIC OF THE PHILIPPINES

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD Foreign Clearance Guide BUPERSINST 1050.11G
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1. General Requirements

a. Members, requesting leave in Republic of the Philippines, are required to submit a country clearance request.

b. In the case of emergency leave, travel may commence immediately after the clearance request message has been sent; however, a clearance message must be sent.

c. Consult the DOD Foreign Clearance Guide and BUPERSINST 1050.11G for information concerning

(1) travel requirements, and

(2) specific format and content of the clearance request.

d. The DOD Foreign Clearance Guide also lists requirements for Filipino servicemembers and their families who are non-immigrant residents of the U.S.

2. Status Of Forces Agreement (SOFA) No Longer Exists.

Following withdrawal of U.S. Military Forces, there is no longer a Status Of Forces Agreement (SOFA) with the Philippines. Therefore, the situation and conditions for travel to and within the Philippines have changed significantly for U.S. personnel. See the description of the situation below.

3. **Passports and Visas.** The requirements are as follows:

- a. To enter the Philippines, passports are required; and
- b. to stay longer than 21 days by non-Filipino citizens, visas are required.

4. **Financial Situation**

- a. The financial situation within country is as follows:

- (1) U.S. disbursing and check cashing facilities are not available.

- (2) Sufficient funds and/or travelers checks should be brought to the Philippines to defray expenses incurred.

- (3) Personal checks are not considered acceptable tender by local merchants or hotels.

- (4) A limited check cashing facility is available, but is restricted to individuals

- (a) assigned temporary duty/temporary additional duty to metro Manila, or

- (b) on emergency leave.

- b. Contact U.S. Defense Attaché Officer (USDAO) Manila for further instructions.

5. **Travel Arrangements.** The situation for making travel arrangements is as follows:

- a. Travelers will pay travel tax on tickets purchased in the Philippines.

- b. There are no U.S. travel agencies, i.e., personnel transportation offices, available.

- c. It is highly recommended that all travelers have return tickets in hand prior to entering the Philippines.

6. **Other Conditions.** Other significant existing conditions and requirements are as follows:

a. Personnel are not exempt from payment of import and export taxes and customs duties.

b. Personnel are subject to Philippine civil and criminal law and procedure.

c. Visitors may be required to pay immigration and alien registration fees.

d. The U.S. Embassy will only provide those services provided in any other foreign countries.

e. All personnel should ensure complete preparations are made prior to travel to the Philippines.

MILPERSMAN 1050-270

ADMINISTRATIVE ABSENCES

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directives	DOD Directive 1327.5 of 24 Sept 85 NAVPERS 15559B, Officer Transfer Manual NAVPERS 15909G, Enlisted Transfer Manual
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1. **Definition.** Administrative absence is a period of authorized absence, not chargeable as leave, to attend or participate in activities of a semi-official nature, to benefit the Department of Defense (DOD).

2. **Policy**

a. Care must be taken that the absence contemplated falls clearly within the criteria provided. If it does not, the absence must be handled under normal leave or liberty procedures. The criteria are to be narrowly construed.

b. Administrative absence in excess of 30 days must be authorized by the Navy Personnel Command (NAVPERSCOM) (PERS-4).

3. **General Purposes for Which Authorized.** Administrative absence may be authorized for the following general purposes:

a. Attendance at meetings sponsored by non-federal societies and organizations directly related to member and the Navy.

b. Attendance at meetings related to the DOD Credit Union Program.

c. Participation in and support of competitive sports events.

d. Attendance as a witness at criminal proceedings involving public interest.

e. Participation in other programs of the Navy enhancing member's value.

4. **Attendance at Meetings.** Attendance at meetings, sponsored by recognized non-federal

- a. technical,
- b. scientific,
- c. professional medical,
- d. professional legal, and
- e. professional ecclesiastical

societies and organizations, when the meetings bear direct relationship to the member's professional background, or primary military duties, and clearly enhance the member's value to the service.

5. **Attendance DOD Credit Union Meetings.** Attendance of a member of the Board of Directors of a DOD credit union at meetings of

- a. associations,
- b. leagues, or
- c. councils

formed by DOD credit unions, the purpose of which is directly related to the DOD Credit Union Program.

6. **Participation in and Support of Sports.** Participation in competitive sports events, and essential support of participants in competitive sports events.

7. **Attendance as a Witness.** Attendance in response to a

- a. subpoena,
- b. summons, or
- c. request in lieu of process

as a witness at a state criminal investigative proceeding or criminal prosecution involving substantial public interest, such as major crimes in which the member would be an essential witness.

8. **Participation in Other Navy Programs.** Participation in other official or semi-official programs of the Navy, for which temporary additional duty or temporary duty is not appropriated, which will enhance the member's

- a. value to the Navy, or
- b. understanding of the Navy, and
- c. their relationship to it.

9. **Issuance of TAD Orders.** Policy pertaining to the issuance of temporary additional duty authorization orders, for administrative absences, is contained in

- a. NAVPERS 15559B, and
- b. NAVPERS 15909G.

MILPERSMAN 1050-280

DEFINITION OF LIBERTY

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **Definition: Regular Liberty.** Regular liberty is a routinely authorized absence, at the end of which the member is actually on board or in the location from which the member regularly commutes to work, which lasts from the end of normal working hours on one day to the beginning of normal working hours the next workday.

2. **Definition: Weekend Liberty.** For members whose duty hours follow a traditional American work week, weekend liberty will be from the end of working hours Friday afternoon until the beginning of normal working hours on the following Monday.

3. **Definition: Equivalent Weekend Liberty.** For members who work other schedules, commanding officers will ensure an equivalent weekend liberty, though days of the week may vary.

4. **Maximum Length of Liberty Period.** Except for public holiday weekends or public holiday periods specifically extended by the President, regular liberty periods will not exceed 3 days in length.

5. **Definition: Special Liberty**

a. Special liberty is liberty granted outside of regular liberty periods for unusual reasons, such as

(1) emergencies,

(2) to exercise voting responsibilities of citizenship,

(3) for observance of major religious events, requiring the individual to be continuously absent from work or duty, or

(4) for special recognition.

b. Special liberty will normally not exceed 3 days; under certain circumstances, 4 days special liberty may be authorized.

c. Special liberty periods of 3 to 4 days are intended as compensation for

(1) unusually long working hours,

(2) members on-board ship in overhaul away from home port, or

(3) as recognition's for exceptional performance.

6. **Definition: 3-Day Special Liberty.** 3-day special liberty is a liberty period designed to give a servicemember 3 full days absence from work or duty, usually beginning at the end of normal working hours on a given day and expiring with the start of normal working hours on the 4th day, e.g., from Monday evening until Friday morning.

NOTE: When a 3-day liberty embraces only regular liberty time, such as a Saturday and Sunday with a Monday or Friday national holiday, when scheduled work hours are not included, the time off is treated as regular liberty.

7. **Definition: 4-Day Special Liberty.** 4-day special liberty is a liberty period designed to give a servicemember 4 full days absence from work or duty, usually beginning at the end of normal working hours on a given day and expiring with the start of normal working hours on the 5th day, and including at least 2 consecutive non-work days, e.g., from Wednesday evening until Monday morning.

8. **Restrictions on Combining Liberty and Other Absences.** DOD Directive 1327.5 places specific restrictions on combining regular liberty with special liberty and special liberty with leave. Refer to MILPERSMAN 1050-290.

MILPERSMAN 1050-290

POLICY CONCERNING LIBERTY

Responsible Office	CNO (N13)	Phone:	DSN	225-3304
			COM	(703) 695-3304
			FAX	(703) 695-3311

Governing Directive	DOD Directive 1327.5 of 24 Sept 85
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1. **General Policy**. Commanding officers may grant liberty for any period of 4 days or less. An instrument of command management, liberty is normally granted to persons not required to

a. be physically present to complete unfinished work assignments,

b. for additional essential work, or

c. to maintain a level of operational readiness.

2. **Liberty for In-Port Duty on Holidays**. When possible, grant members liberty following in-port duty on national holidays, using the rules in table below:

WHEN ...	AND ...	THEN ...
this liberty is granted,		it should fall on the 1 st work day following the holiday.
the holiday is a Saturday,	the member has duty on Friday (the federally observed day),	give Monday off as liberty.
the holiday is a Sunday,	the member has duty on Monday (the federally observed day),	give Tuesday off as liberty.

3. **Prohibitions/ Limitations/ Exceptions to Granting Liberty.**

Use the following instructions before granting liberty to a member:

a. Members with diseases:

(1) Do not grant liberty to members under treatment for infectious or contagious diseases, while in an infectious stage, except in cases of urgent personal matters.

(2) Before granting liberty to a member with an infectious or contagious disease the officer in command should first consult with the member's physician to determine the safety to the public of allowing a member to go on liberty.

b. Restrictions on Combining Periods of Liberty and/or Leave:

(1) Do not grant liberty periods in succession or use liberty in series by immediately recommencing after return to duty.

(2) Do not combine periods of Special Liberty with Regular Liberty in order to exceed restrictions regarding 3 and 4 day Special Liberty.

(3) Do not combine liberty periods with leave when leaving the immediate geographic area, as defined by the local command, of the duty station.

(4) Do not combine Special Liberty with leave, at any time, per DOD Directive 1327.5.

c. Liberty with temporary duty (TDY) or temporary additional duty (TAD):

(1) Liberty may not be authorized at the beginning or end of a period of TDY or TAD in order to extend the period of TDY/TAD, per DOD Directive 1327.5.

(2) This prohibition does not include normal liberty periods which do not result in an extension of the period of TDY/TAD.

4. **Extending Liberty Period.** When a member requests an extension of an authorized liberty period and the time, liberty

and extension, exceeds 3 days, that portion exceeding the regular liberty shall be charged to the members leave account.

5. **When Public Holiday Falls on Weekend.** Use the following rules in the table below to consider Friday or Monday as a holiday, when a regular holiday falls on a weekend:

WHEN public holiday falls on ...	THEN ...
Saturday,	the preceding Friday also will be considered a holiday.
Sunday,	the proceeding Monday also will be considered a holiday.
or within authorized dates of leave,	the holidays are charged as leave.

NOTE: Personnel not on duty are in a regular liberty status on holidays.

6. **Public Holidays and Dates.** Public holidays are set up by law and will be observed except when military operations prevent. The following table lists public holidays and the dates they are to be observed:

HOLIDAY	DATE OBSERVED
New Year's Day	1 January
Martin Luther King	the third Monday in January
Washington's Birthday	the third Monday in February
Memorial Day	the last Monday in May
Independence Day	4 July
Labor Day	the first Monday in September
Columbus Day	the second Monday in October
Veterans Day	11 November
Thanksgiving Day	the fourth Thursday in November
Christmas Day	25 December
Other	when directed by proper authority under law

7. **Depriving Liberty**

a. Subject to the Manual for Courts-Martial, restriction awarded by courts-martial or at Captains Mast (nonjudicial punishment) can result in deprivation of liberty.

b. Do not construe assignment of extra duties to include deprivation of liberty on shore except during the hours when extra duties are performed. Upon completing the assigned daily extra duty, grant liberty if the member is normally entitled to it.

MILPERSMAN 1050-300

ARMED FORCES LIBERTY PASS

Responsible Office	NAVPERSCOM (PERS-332)	Phone:	DSN	882-3466/3467
			COM	(901) 874-3466/3467
			FAX	882-2766

Governing Directive	NAVSUP P-2002D, Navy Stock List of Publications, Forms, and Directives
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1. Policy

a. The DD 345, Armed Forces Liberty Pass, shall be used to control the authorized absence (other than leave) of enlisted members in pay grades E-1 through E-3. E-4 through E-6 may be issued DD 345 when, in the judgment of the commanding officer or senior officer in the chain of command, it is deemed necessary for security, operational, or other special circumstances.

b. A valid DD 2 (ACT), Armed Forces Identification Card, issued according to this Manual, will be used with the Armed Forces Liberty Pass to identify an enlisted member on authorized absence not classified as leave.

2. Liberty Pass Not Required. An Armed Forces Liberty Pass is not required for E-1 through E-3 assigned to shore stations within the continental United States.

3. **Instructions for Issuing the Liberty Pass.** When a liberty pass is required, the DD 345 shall be issued per the following:

a. Complete blocks on the DD 345 as follows (self-explanatory items omitted):

Block Name	Required Information
Service	U.S. Navy
Card No.	(For local control)
Organization	(Enter title of issuing activity)
Time Limits	(May be used to indicate limitations or additional information prescribed by the local commander. Any entry must be self-explanatory.)
Signature and Grade of Issuing Officer	(Type name and grade of the issuing officer under the signature.) An officer, a master chief, senior chief, or chief petty officer, or a civilian (GS-5 or above) specifically designated by the commanding officer, shall sign the DD 345.

b. DD 345 is printed in five colors (red, blue, green, salmon, and yellow) to aid in maintaining local control.

c. Supplies of this form may be requisitioned from cognizance "I" Stock, Naval Supply Systems, as specified in NAVSUP P-2002D, Navy Stock List of Publications, Forms, and Directives. Local reproduction is not authorized.

MILPERSMAN 1050-310

APPELLATE LEAVE

Responsible Office	NAMALA	Phone :	DSN	325-0100
			COM	(202)685-0100
			FAX	325-0606

Governing Directive	SECNAVINST 1050.1A
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1. Policy

a. A member who has been sentenced by court-martial to be dismissed or to receive an unsuspended punitive discharge and who has completed all awarded confinement, may be placed on appellate leave pending completion of appellate review. A member may request appellate leave or be placed on mandatory appellate leave. Both types of leave require approval of the officer exercising general court-martial (GCM) or special court-martial (SPCM) jurisdiction over the member.

b. Prior to being placed on appellate leave a member must be transferred to the appropriate Transient Personnel Unit, Naval Station or Naval Air Station for tracking and appellate leave processing.

2. In this Section. This section covers these topics.

Topic	See MILPERSMAN
Request appellate leave	1050-320
When the Convening Authority acts	1050-330
Mandatory appellate leave	1050-340
Appellate review	1050-350
Procedure for recalling a member from appellate leave	1050-360
Appellate leave statement of understanding	1050-370
Letter format for change of status to mandatory appellate leave	1050-380

MILPERSMAN 1050-320

REQUEST APPELLATE LEAVE

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. **Scope**. Members sentenced by court-martial to dismissal or to receive an unsuspended punitive discharge, but whose sentence has not yet been approved, may request appellate leave provided all confinement (if any) has been completed. The request may be approved at the discretion of the commander exercising court-martial authority, if in his or her opinion the best interest of the naval service would be served by granting the member's request.

2. **Checklist**. Follow the steps below if the member's appellate leave request is approved.

Step	Action
1	Ensure member understands that transportation to selected leave address will be at his or her own expense.
2	Arrange for separation physical (including HIV test) to be completed within 90 days prior to commencement of appellate leave.
3	<p>Offer member formal inpatient treatment prior to separation if diagnosed as drug and/or alcohol dependent (see MILPERSMAN 1910-800).</p> <p><u>NOTE</u>: If member accepts treatment, appellate leave may not commence until treatment is completed or terminated. Ensure member's acceptance/not acceptance is documented in the service record.</p>
4	<p>Counsel member on right to petition the Naval Clemency and Parole Board using NAVSO 5815/4 (Waiver of Clemency Review) or NAVSO 5815/2 (Request for Restoration/Clemency). <u>A copy of the document must be filed in the service record.</u></p> <p><u>NOTE</u>: Waiver of Clemency Review document is not required for personnel with sentence adjudged on or after 5 November 1993 if approved confinement is less than 12 months.</p>

Step	Action
5	<p>Counsel member regarding shipment of personal property and/or household goods. <u>Eligible members must submit a written request to the General Court Martial Convening Authority/Special Court Martial Convening Authority for approval</u> per Joint Federal Travel Regulations (JFTR). Property should not be transferred to a Navy storage facility.</p> <p>For members stationed in Continental United States (CONUS) without family members, household goods (HHG) shipment is not authorized (JFTR U5317).</p> <p>For members with family members stationed in CONUS, travel and household goods shipment may be authorized at the discretion of the convening authority if deemed in the best interest of the member or their family and the United States (see JFTR, paragraph U5370-J1).</p> <p>For members stationed outside CONUS, family members' travel and HHG shipment will be authorized or approved to the home of record when the GCM authority determines such to be in the best interest of the Government (see JFTR paragraph U5370-D8 and U5240-2).</p>
6	Revoke member's security clearance per OPNAVINST 5510.1H.
7	Revoke member's private vehicle base decal.
8	Confiscate all government-issued clothing, uniform or civilian, and all property of the government except one overcoat, if needed, as provided in Supply System Command Manual, NAVSUP Publication I, Supply Ashore, Volume II, paragraph 25940.
9	Confiscate ID card of member and dependents.
10	Issue new identification cards with an expiration date of 6 months from date of issue. Successive cards may be reissued for up to 3 months until discharge is effected.
11	Have member read, initial and sign Appellate Leave Statement of Understanding (see MILPERSMAN 1050-070). File original in service record and provide a copy to the member.
12	Verify service record pages for completeness and accuracy. Enter appropriate entry to document action.
13	Provide member with copy of NAVCOMPT 3065 (Leave Request Authorization Form). File a copy in the service record.

Step	Action
14	<p>Submit Source Data System/Diary Message Reporting System (SDS/DMRS) entry to change accounting category code to 393 and file copy in the service record:</p> <p>Officers: SDS activities use M03 event DMRS activities use H3 TAC</p> <p>Enlisted: SDS activities use M25 event DMRS activities use 376 TAC</p>
15	<p>Submit DJMS SB01 transaction with type code R (for appellate review) per DFAS PTG paragraph 10255 (for members requesting to be paid for all accrued leave), and terminate pay and allowances, including Selected Reenlistment Bonus payments, as outlined in article B10365 of the DFAS-CL (DJMS).</p>
16	<p>Go to MILPERSMAN 1050-030</p> <p>NOTE: If convening authority action is not received within 60 days of court-martial, initiate tracer action via message to the convening authority, with follow-up tracer every 30 days thereafter. Include immediate superior in command and Office of the Judge Advocate General on second and subsequent tracer actions.</p>

MILPERSMAN 1050-330

WHEN THE CONVENING AUTHORITY (CA) ACTS

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. What to do when the CA acts. Take the following actions once the convening authority acts:

IF the convening authority ...	and ...	then ...
disapproves/ remits/suspends the punitive discharge/ dismissal,	the member's expiration of active obligated service (EAOS) has expired,	separate the member by reason of EAOS (see MILPERSMAN 1910-104).
	the member's EAOS has <u>NOT</u> expired,	recall the member (if on request appellate leave) to active duty and/or process for administrative separation per MILPERSMAN 1910-100.

IF the convening authority ...	and ...	then ...
approves the punitive discharge/dismissal,	the member is NOT on request appellate leave,	the convening authority (CA) may place the member on mandatory appellate leave (see MILPERSMAN 1050-040).
	the member is on request appellate leave,	submit the following Source Data System/Diary Message Reporting System (SDS/DMRS) transactions to effect reduction, forfeiture, confinement, etc., and file copies in the service record. Officers: N/A Enlisted: SDS activities use D10 event DMRS activities use NAVPERS 1070/607 (Court Memorandum).
		drop member from active strength. Officers: N/A Enlisted: UMIDS E503 transaction DMRS activities use 950 TAC .
		submit an Activity Loss Code to NAMALA UIC: 47353. Officers: UMIDS L01/E503 transaction activities use L9 TAC Enlisted: UMIDS L20/E503 transaction activities use 680 TAC
		file a copy of Court-Martial Promulgating Order and CA's action in the service record.
		send letter to member for Change of Status to Mandatory Appellate Leave (see MILPERSMAN 1050-080).

IF the convening authority ...	and ...	then ...
approves the punitive discharge/ dismissal,	the member is on request appellate leave,	<p>send Personal Financial Record via certified mail to:</p> <p>Director Defense Finance and Accounting Service Cleveland Center 1240 E. 9th St Cleveland OH 44199-2055</p>
		<p>send service/medical/dental records via certified mail to:</p> <p>Commanding Officer Navy and Marine Corps Appellate Leave Activity (NAMALA) Bldg 111 Washington Navy Yard 901 M St SE Washington, DC 20374-5083</p> <p>NOTE: Member may waive Appellate Review by filing a waiver within 10 days of the CA's action. Waiver can be verified with the CA or Naval Legal Service Office. If a waiver is filed, execute the punitive discharge per MILPERSMAN 5815-010; do not transfer records to NAMALA or place member on mandatory appellate leave.</p> <p>If the member has waived or withdrawn from appellate review under R.C.M. 1110, Manual for Courts- Martial, 1984, provide the member, by certified mail, a copy of the judge advocate's review and action by the officer exercising General Court Martial jurisdiction under R.C.M. 1112.</p>

MILPERSMAN 1050-340

MANDATORY APPELLATE LEAVE

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. **Considering Factors.** Once the convening authority has approved an unsuspended punitive discharge or dismissal and all confinement (if any) has been completed, the member may be placed on mandatory appellate leave by the officer exercising court-martial jurisdiction over the member. The following factors require consideration prior to approving mandatory appellate leave:

- a. The member's service record;
- b. The offense(s) of which convicted and sentence adjudged;
- c. The commanding officer's recommendation, if applicable;
- d. The staff judge advocate/legal officer's recommendation;
- e. Whether the member has demonstrated a likelihood of productive and beneficial service to the Navy by remaining on active duty pending appellate review;
- f. Any hardship or other adverse consequences which the member may experience if required to take mandatory appellate leave;
- g. Any other pertinent information that the member considers appropriate; and
- h. Best interest of the service.

2. **Checklist.** Follow the step below if the member's appellate leave request is approved.

Step	Action
1	Arrange for separation physical (including HIV) to be completed within 90 days prior to commencement of appellate leave.
2	<p>Offer member formal inpatient treatment prior to separation if diagnosed as drug and/or alcohol dependent. (see MILPERSMAN 1910-800)</p> <p>NOTE: If member accepts treatment, appellate leave can not commence until treatment is completed or terminated. Ensure member's acceptance/non-acceptance is documented in the service record.</p>
3	<p>Counsel member on right to petition the Naval Clemency and Parole Board using NAVSO 5815/4 (Waiver of Clemency Review) or NAVSO 5815/2 (Request for Restoration/Clemency). A copy of the document must be filed in the service record.</p> <p>NOTE: Clemency document is not required for personnel with sentence adjudged on or after 5 November 1993 if approved confinement is less than 12 months.</p>
4	<p>Counsel member regarding shipment of personal property and/or household goods. Eligible members must submit a written request to the General Court Martial Convening Authority/Special Court Martial Convening Authority for approval per Joint Federal Travel Regulations (JFTR). Property should not be transferred to a Navy storage facility.</p> <p>For members stationed in Continental United States (CONUS) without family members, household goods (HHG) shipment is not authorized (JFTR U5317).</p> <p>For members with family members stationed in CONUS, travel and household goods shipment may be authorized at the discretion of the convening authority if deemed in the best interest of the member or their family and the United States (see JFTR paragraph U5370-J1).</p> <p>For members stationed outside CONUS, family members' travel and HHG shipment will be authorized or approved to the home of record when the General Court Martial authority determines such to be in the best interest of the Government (see JFTR paragraph U5370-D8 and U5240-2).</p>
5	Revoke member's security clearance per OPNAVINST 5510.1H.
6	Revoke member's private vehicle base decal.

Step	Action
7	Confiscate all government-issued clothing, uniform or civilian, and all property of the government except one overcoat, if needed, as provided in Supply System Command Manual, NAVSUP Publication I, Supply Ashore, Volume II, paragraph 25940.
8	Confiscate ID card of member and dependents.
9	Issue new identification cards with an expiration date of 6 months from date of issue. Successive cards may be reissued for up to 3 months until discharge is effected.
10	Have member read, initial and sign Appellate Leave Statement of Understanding (see MILPERSMAN 1050-070). File original in service record and provide a copy to the member.
11	Verify service record pages for completeness and accuracy. Enter appropriate entry to document action.
12	Provide member with copy of NAVCOMPT 3065 (Leave Request Authorization Form). File a copy in the service record.
13	<p>Submit Source Data System/Diary Message Reporting System (SDS/DMRS) entry to change ACC to 393 and file copy in the service record:</p> <p>Officers: SDS activities use M03 event DMRS activities use H3 TAC</p> <p>Enlisted: SDS activities use M25 event DMRS activities use 376 TAC</p>
14	Submit DJMS SB01 transaction with type code R (for appellate review) per DFAS PTG paragraph 10255 (for members requesting to be paid for all accrued leave), and terminate pay and allowances, including Selected Reenlistment Bonus payments, as outlined in article B10365 of the DFAS-CL (DJMS).
15	<p>Send personal financial record via certified mail to:</p> <p>Director Defense Finance and Accounting Service Cleveland Center 1240 E. 9th St Cleveland OH 44199-2055</p>

Step	Action
16	<p data-bbox="318 315 1333 346">Send service/medical/dental records via certified mail to:</p> <p data-bbox="388 382 1349 541">Commanding Officer Navy and Marine Corps Appellate Leave Activity (NAMALA) Bldg. 111 Washington Navy Yard 901 M St SE Washington DC 20374-5083</p> <p data-bbox="318 577 1349 772">NOTE: Member may waive Appellate Review by filing waiver within 10 days of the CA's action. Waiver can be verified with the convening authority or Naval Legal Service Office. If a waiver is filed, execute the punitive discharge per MILPERSMAN 5815-010; do not transfer records to NAMALA or place member on mandatory appellate leave.</p> <p data-bbox="318 808 1390 970">If the member has waived or withdrawn from appellate review under R.C.M. 1110, Manual for Courts-Martial, 1984, provide the member, by certified mail, a copy of the judge advocate's review and action by the officer exercising GCM jurisdiction under R.C.M. 1112.</p>

MILPERSMAN 1050-350

APPELLATE REVIEW

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. **Procedures.** Follow these procedures upon completion of appellate review:

IF ...	THEN ...
the punitive discharge is affirmed,	execute punitive discharge in accordance with Supplemental Court Martial Order (see MILPERSMAN 5815-010).
	Forward service record to Naval Reserve Personnel Center, New Orleans, LA.
	Forward health/dental records to Department of Veterans' Affairs.
	Pay member (if pay record is still held locally) by check, any remaining credit balance after making checkage for Selected Reenlistment Bonus or other indebtedness, if applicable.
the findings and sentence are set aside and a rehearing authorized,	JAG will notify the proper authority to determine whether or not a rehearing is practicable and will conducted, or whether the charges will be dismissed.
a rehearing is ordered,	coordinate with NAMALA for return of records to the gaining command or the appropriate transient personnel unit, naval station, or naval air station which supports the authority that ordered the rehearing.

IF ...	THEN ...
<p>the findings and sentence including punitive discharge are set aside and charges dismissed based on lack of factual guilt and not on technicality, and if the member's EAOS has NOT expired,</p>	<p>recall member for full duty or process for administrative separation (ADSEP) per MILPERSMAN 1910-126.</p> <p>NOTE: Officers will be recalled per MILPERSMAN 1050-070. Coordinate with Chief of Naval Personnel for orders.</p> <p>Pay the member (if pay record is held locally) by check, the amount found standing to his/her credit, including compensation for any leave credit unused at the time of the discharge and mileage allowance to which entitled (transportation in kind).</p>
<p>the findings and sentence including punitive discharge are set aside and charges dismissed based on lack of factual guilt and not on technicality, and if the member's EAOS has expired,</p>	<p>recall member for full duty and reenlist with BUPERS approval or process for ADSEP per MILPERSMAN 1910-126.</p> <p>NOTE: Officers will be recalled per MILPERSMAN 1050-070. Coordinate with Chief of Naval Personnel for orders.</p> <p>Pay the member (if pay record is held locally) by check, the amount found standing to his/her credit, including compensation for any leave credit unused at the time of the discharge and mileage allowance to which entitled (transportation in kind).</p>

IF ...	THEN ...
the findings and sentence including punitive discharge are set aside and charges dismissed based on technicality and if the member's EAOS has not expired,	process for ADSEP per MILPERSMAN 1910-126. NOTE: Officers will be recalled per MILPERSMAN 1050-070. Coordinate with Chief of Naval Personnel for orders. Pay the member (if pay record is held locally) by check, the amount found standing to his/her credit, including compensation for any leave credit unused at the time of the discharge and mileage allowance to which entitled (transportation in kind).
the findings and sentence including punitive discharge are set aside and charges dismissed based on technicality and the member's EAOS has expired,	separate per MILPERSMAN 1910-104. NOTE: Officers will be recalled per MILPERSMAN 1050-070. Coordinate with Chief of Naval Personnel for orders. Pay the member (if pay record is held locally) by check, the amount found standing to his/her credit, including compensation for any leave credit unused at the time of the discharge and mileage allowance to which entitled (transportation in kind).

MILPERSMAN 1050-360

PROCEDURES FOR RECALLING A MEMBER FROM APPELLATE LEAVE

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. **Enlisted Members**. Follow the steps below to recall an enlisted member from appellate leave for rehearing, resentencing or restoration to full duty status.

Step	Action
1	Activities holding the rehearing, resentencing or restoration to duty issue recall orders in letter format to the member's last known address via certified mail.
2	Request service/health/dental records be forwarded to your command from NAMALA Washington DC or other activity.
3	Submit the following event upon arrival of member on board: <ul style="list-style-type: none">• DJMS• DMRS activities use 200 TAC
4	Ensure member is placed in the appropriate Accounting Category Code (ACC).
5	Submit the following Source Data System (SDS) Diary Message Reporting System (DMRS) event to administratively return member to active strength: <ul style="list-style-type: none">• SDS activities use G29 event• DMRS activities use 192 TAC
6	If the punishment previously reported has been reduced or set aside by higher authority, and the reduction in punishment affects the members pay (i.e. pay grade restored, fines or forfeitures returned, etc.): <ul style="list-style-type: none">• SDS activities use D10 event• DMRS activities use NAVPERs 1070/607 (Court Memorandum)
7	If pay and allowances are not affected, make an appropriate NAVPERs 1070/613 entry.
8	Request the member's personal financial record (PFR) by message from the appropriate DFAS Code indicating the date member returned to duty (see Source Data System Procedures Manual (SDSPROMAN) VOL II arts B10205 and B10365).

2. **Officers**. Follow the steps below to recall an officer from appellate leave for rehearing, resentencing or restoration to full duty status.

Step	Action
1	Contact Navy Personnel Command for recall orders.
2	Upon arrival of officer, submit: <ul style="list-style-type: none">• UMIDS activities use SG03 event• DMRS activities use G8 TAC
3	Ensure officer is placed in appropriate ACC .
4	Request the officer's PFR by message from the appropriate DFAS Code indicating the date officer returned to duty (see SDSPROMAN VOL II arts B10205 and B10365).

MILPERSMAN 1050-370

APPELLATE LEAVE STATEMENT OF UNDERSTANDING

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. **Statement.** Provide the below statement of understanding to all members placed on appellate leave.

APPELLATE LEAVE STATEMENT OF UNDERSTANDING (1)	
Name :	SSN:
<p>PRIVACY ACT STATEMENT "Under the authority of 5 U.S.C. 301, DOD Directive 1327.5 and MILPERSMAN 1050-100, information regarding your current and future leave address is requested in order to grant you leave pending appellate review. The information provided by you will become a permanent part of your service record. The information will be used to maintain an accurate record of your location to allow future communications."</p>	
<p>Request Appellate Leave: I understand that I will be charged ordinary leave until all accrued leave (if any) is exhausted.</p>	
<p><u>Mandatory Appellate Leave:</u> I request to:</p> <p>_____ take accrued leave until exhausted.</p> <p>_____ be paid all accrued leave.</p> <p>_____ take part of accrued leave and be paid for part of accrued leave.</p>	<p>My address while on appellate leave will be:</p> <p>_____</p> <p>My Permanent home address is:</p> <p>_____</p>
<p>Forward all official correspondence to my appellate leave address/permanent home address (circle choice).</p>	
POINTS OF CONTACT	
<p><u>Administrative Matters:</u> Once on Mandatory Appellate Leave, administrative control will shift to Commanding Officer, Navy and Marine Corps Appellate Leave Activity (NAMALA), Washington Navy Yard, Bldg 111, 901 M St SE, Washington, DC 20374-5083, phone (202) 685-0100. NAMALA will notified you of any change in your appellate leave status.</p>	
<p><u>Pay Matters:</u> Your pay account will be frozen until final resolution of your case and your pay record will be held by DFAS-Cleveland, Cleveland Center, Anthony J. Celebreeze Federal Building, 1240 E 9th St, Cleveland OH 44199-2055, phone (216) 522-5637. All pay inquiries will be addressed to DFAS Cleveland.</p>	
<p><u>Court Matters:</u> Your court-martial record of trial will be forwarded to Navy and Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Washington Navy Yard, Bldg 111, Washington DC 20374-1111 for review and final determination in your case. Your appellate defense attorney may be reached at (202) 433-4161.</p>	

APPELLATE LEAVE STATEMENT OF UNDERSTANDING (2)		
INT	UNDERSTANDING	
	I understand that I must advise my commanding officer of any change of my leave address, permanent home address, and the address for which all official correspondence may be sent.	
	I understand that I am required to keep my Page 2, (NAVPERS 1070/602), Dependency Application and Record of Emergency Data current.	
	I understand that while on appellate leave I am still on active duty and subject to orders of competent naval authority.	
	I understand that the appellate review can take several months and I will remain on appellate leave until I am discharged, unless I am ordered to return for duty by proper authority to complete my service obligation, for administrative separation, or for a rehearing.	
	I understand that if the convening authority approves an unsuspended punitive discharge/dismissal, I may be placed on mandatory appellate leave at the discretion of the convening authority.	
	I understand that if the punitive discharge/dismissal is set aside, I may be processed for administrative separation, separated, or recalled for a hearing.	
	I have been counseled on my rights concerning appellate review and have been informed that I may waive appellate review within 10 days of receipt of convening authority's action or withdraw from appellate review at a future date.	
	I understand that I am not eligible to utilize Air Mobility Command for space available travel, or travel to a foreign country outside the United States and its territories.	
	I understand that my dependents and I are eligible for medical treatment through the Uniformed Service Medical Treatment Facilities. All civilian medical care claims are processed by Officer in Charge, Naval Office of Medical/Dental Affairs, Great Lakes, IL 60088-5200. Telephone number is 1 (800) 876-1131.	
I certify that I have read and understand this statement of understanding regarding appellate leave, and have been provided a copy.		
MEMBER'S SIGNATURE		WITNESS SIGNATURE
		APPROVING OFFICER SIGNATURE

MILPERSMAN 1050-380

LETTER FORMAT FOR CHANGE OF STATUS TO MANDATORY APPELLATE LEAVE

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

1. **The Letter.** Send the member the following letter when his or her status is changed from request appellate leave to mandatory appellate leave:

5800
Code/Serial No.
Date

From: Commanding Officer/Officer In Charge
To: Rate/Rank, Name, SSN (plus designator for officers)

Subj: CHANGE OF STATUS TO MANDATORY APPELLATE LEAVE

Ref: (a) (Court-martial convening authority)
(Special/General) Court-martial Order Number _____
of _____
(b) SECNAVINST 1050.1A
(c) JAGMAN 0152 (only if automatic reduction to E-1 is executed)

1. Reference (a) approves the punitive discharge awarded at your court-martial. Per reference (b), your status has changed from request appellate leave to mandatory appellate leave.
2. You have been reduced to pay-grade E-1 as ordered executed in accordance with reference (a) or (c).
3. Keep your new command informed of any changes to your leave or home address. You may write to your Commanding Officer at Navy and Marine Corps Appellate Leave Activity, Washington Navy Yard, Bldg 111, 901 M St. SE, Washington, DC 20374.
4. You remain subject to orders of competent naval authority until discharge.

MILPERSMAN 1050-390

ADMINISTRATIVE LEAVE

Responsible Office	NAVPERSCOM (PERS-832)	Phone:	DSN	882-4439
			COM	(901) 874-4439
			FAX	882-2624

Governing Directive	SECNAVINST 1050.1A SECNAVINST 5510.30A
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1. **Policy.** Members who have completed administrative separation may voluntarily request administrative leave pending final disposition by the separation authority.

2. **Description of Types of Administrative Leave.** There are three types of administrative leave, which a service member may request. Clarification of the three types are:

Type	Description
Leave	If the member has earned leave to their credit and is in a pay status, member may be granted leave with pay and allowances not to exceed the amount of leave accumulated to date, plus the leave member will earn while in a full pay and allowance leave status. If a member is serving a sentence which includes unsuspended, partial forfeiture of pay, member can be paid only that part of their pay and allowances which is not forfeited.
Leave without pay and allowances	If a member has no leave to their credit as of the current date or is in a non-pay status (e.g., member is serving a sentence which includes unsuspended forfeiture of all pay and allowances), member may be granted leave without pay and allowances.

Leave including leave without pay and allowances	Leave with full (or partial) pay and allowances, when exhausted, may continue as leave without pay and allowances. The leave authorization shall reflect the kind of leave granted and shall contain no indication that the member is to report to their station upon expiration of leave. Member shall be paid accrued pay and allowances, but no mileage or transportation in kind is authorized by law for members granted leave for this purpose.
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3. **Procedures to Place a Member on Administrative Leave.**

Follow the below steps if the member indicates a desire to take administrative leave.

Step	Action
1	Ensure member understands in writing that transportation to the leave address selected will be at their own expense.
2	Have member read, initial, and sign Administrative Leave Request (see Exhibit 1).
3	Obtain approval from the commanding officer for administrative leave. Provide copy of approval request to the member and file original in the service record.
4	Arrange for separation physical (including HIV test) to be completed within 90 days prior to commencement of administrative leave.
5	Offer member, in writing, formal Level III inpatient treatment prior to separation if diagnosed as drug and/or alcohol dependent. NOTE: If member accepts treatment, they may not commence administrative leave until treatment is completed or terminated. Ensure acceptance/non-acceptance is documented on a NAVPERS 1070/613, Administrative Remarks, which becomes a permanent part of the member's service record to preclude future disputes as to whether or not treatment was offered.
6	Counsel member regarding shipment of personal property and/or household goods, if eligible.
7	Revoke member's security clearance per SECNAVINST 5510.30A.
8	Revoke member's private vehicle base decal if applicable.

9	Confiscate all government-issued clothing, uniform or civilian, and all property of the government, except one overcoat and one uniform, if needed, as provided in Supply Systems Command Manual, NAVSUP Publication I, Supply Ashore, Volume II, paragraph 25940.
10	Confiscate ID card of member and dependents.
11	Issue new identification cards with an expiration date of 2 months from date of issue. Successive cards may be reissued for up to 2 months until discharge is effected. The cards shall be over stamped (or labeled) "ADMINISTRATIVE LEAVE."
12	Verify service record pages for completeness and accuracy. Enter appropriate entry to document action.
13	Provide member with copy of NAVCOMPT 3065 (Leave Request Authorization Form). File a copy in the service record.
14	Submit SDS/DMRS entry to change ACC to 382 and file copy in the service record: Officer: SDS activities use M03 event DMRS activities use H3 TAC Enlisted: SDS activities use M25 event DMRS activities use 376 TAC
15	Submit SDS event LV1 (or INDEF LV on NAVCOMPT 3060, Military Pay Order for non-SDS activities), and terminate pay and allowances, including SRB payments, as outlined in SDSPROMAN and PAYPERSMAN.

UPON APPROVAL OF SEPARATION	
16	Prepare all separation paperwork per MILPERSMAN 1910-800.
17	Send applicable separation paperwork to the member via registered mail.

EXHIBIT 1

4. **Administrative Leave Request.** Once a member has been fully processed for administrative separation, and final disposition is pending from the separation authority, a member may request administrative leave using the following form.

ADMINISTRATIVE LEAVE REQUEST		
NAME :		SSN :
PRIVACY ACT STATEMENT: "Under the authority of 5 U.S.C. 301, DOD Directive 1327.5 and MILPERSMAN 1050-390, information regarding your current and future leave address is requested in order to grant you leave which you have requested pending review of your administrative separation case. The information provided by you will become a permanent part of your service record. The information will be used to maintain an accurate record of your location to allow future communications."		
Pending completion of my administrative separation, I hereby request that I be granted: _____ Leave without pay and allowances; or _____ Leave until exhausted, then leave without pay and allowances		My address while on administrative leave will be: _____ _____ _____ _____
INITIAL	UNDERSTANDING	
	I understand that while on such leave I am still on active duty and subject to orders of competent naval authority.	
	I understand that I will remain on administrative leave until I am discharged, unless I am ordered to return for duty by proper authority.	
	I understand that if I am ordered to return to naval custody, I am responsible for returning at my own expense.	
	I understand that if I fail to return to naval custody after being so ordered, I will be declared a deserter and may be court-martialed and/or reprocessed for administrative separation upon my return to military jurisdiction.	
	I understand that I must advise my command of any change(s) of my address and the current address provided will be the one to which all official correspondence will be addressed.	
Member's signature and date		
Commanding Officer's signature ("By direction" authorized) and date	APPROVED	
	DISAPPROVED	

MILPERSMAN 1050-400

ACCRUED LEAVE CREDITABLE UPON RETIREMENT

Responsible Office	NAVPERSCOM (PERS-823)	Phone:	DSN	882-3246
			COM	(901) 874-3246
			FAX	882-2622

Governing Directive	DFAS-DJMS, Procedures Training Guide (DFAS PTG)
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1. Policy

a. Accrued leave, creditable at the time of retirement, is compensable in a lump-sum payment not to exceed 60 days of basic pay. MILPERSMAN 7220-340 states that no member can sell back more than 60 days during a military career at the rate in effect the day prior to the date of retirement.

b. If the member is continued on active duty upon retirement, the lump-sum payment of accrued leave shall be made upon subsequent release from active duty at the rate in effect on the last day of the active duty.

c. Payment for leave accrued prior to 1 September 1976, which is referred to as saved leave, will include basic pay, basic allowance for quarters, and basic allowance for subsistence. Payment for leave accrued on or after 1 September 1976 will include basic pay only.

2. Absence on Leave at the Time of Retirement

a. Absence on leave at the time of retirement or transfer to the Fleet Reserve, without the necessity of return to the separation site, if this is desired, should normally be granted when requested to preclude the loss of leave and to minimize accrued leave.

b. If leave without return to the separation site is desired, the member must actually have retirement or transfer to the Fleet Reserve orders in possession and have completed separation processing prior to departure on leave. The

retirement or transfer to the Fleet Reserve date must occur following completion of the authorized leave period.

c. Administrative and disbursing office procedures are contained in DFAS-PTG.

3. **Retirement Leave**. Members desiring retirement leave must submit a notification to Navy Personnel Command (NAVPERSCOM) (PERS-82) coincident to the request for retirement. This notification is for the purpose of ensuring that retirement orders are issued prior to leave commencement. The approval of retirement leave rests solely with the member's commanding officer or reporting senior.

MILPERSMAN 1050-410

CONSECUTIVE OVERSEAS TOURS LEAVE TRAVEL ENTITLEMENT POLICY

Responsible Office	CNO (N13)	Phone:	DSN	225-3322
			COM	(703) 695-3322
			FAX	225-3311

Governing Directives	Joint Federal Travel Regulations (JFTR), paras. U5120-G and U7200 OPNAVINST 4600.16E
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1. **Policy Reference.** Consecutive overseas tours (COT) leave travel is described in JFTR, para. U7200.
2. **Relationship to Overseas Tour Extension Incentives.**
A Servicemember who receives COT leave travel shall not receive any incentive under Overseas Tour Extension Incentive Program for same overseas tour.
3. **Criteria.** The table below lists criteria that entitles a member to COT leave travel.

WHEN ...	AND is ordered to ...	THEN ...
a Servicemember is stationed outside continental United States (OCONUS),	a COT at same permanent duty station (PDS) involving two full Department of Defense (DOD) area tours, or make a permanent change of station (PCS) from one PDS OCONUS to another PDS OCONUS,	is entitled to receive COT leave travel.

4. **COT Leave Travel Execution.** Unless COT travel is deferred by Navy Personnel Command (NAVPERSCOM),

- a. (PERS-40C) for enlisted personnel, and
- b. cognizant branch head for officers,

following rules will apply to execution of COT leave travel:

WHEN home of record (HOR) is in continental United States (CONUS) ...	THEN COT leave shall be taken in conjunction with ...
PCS order, with no temporary duty (TEM DU) provision, requires Servicemember to traverse CONUS,	CONUS crossing.
there is TEM DU in CONUS as part of PCS,	TEM DU in CONUS.

WHEN HOR is OCONUS ...	THEN COT leave shall be taken in conjunction with ...
	travel between duty stations, or may be deferred by member.

5. **Deferment of COT Leave Travel**

a. Deferment of COT leave travel, relating to table above, will only be approved by NAVPERSCOM when unusual circumstances preclude member or dependents from taking COT leave while in CONUS.

b. Requests must be submitted to NAVPERSCOM, and authorization received, prior to member's transfer.

c. Requests for deferred leave travel, when Servicemember is required to traverse CONUS to complete PCS, should be forwarded to NAVPERSCOM

- (1) (PERS-40C) for enlisted personnel, and
- (2) cognizant branch head for officers.

6. **Re-Tour Without Change in PDS.** In connection with a re-tour not involving a change of PDS,

a. full DOD area tour must be completed before leave travel entitlement accrues; and

b. leave travel may be taken between end of first complete area tour and start of second complete area tour, unless Servicemember elects to defer performing COT leave travel until after reporting for second tour. In that case, COT leave travel must be performed before expiration of 1-year after date on which Servicemember begins consecutive tour of duty at same PDS OCONUS.

7. **Deferment When Not Traversing CONUS**

a. A Servicemember or dependents who are

(1) not required to traverse CONUS to complete PCS, or

(2) are authorized or approved by NAVPERSCOM to defer COT leave travel in connection with travel covered by table above,

may elect to defer performing COT leave travel until after Servicemember reports to new PDS OCONUS.

b. Consecutive overseas tours leave travel must be performed before expiration of 1 year after date on which Servicemember begins consecutive tour of duty at new PDS OCONUS, unless member is assigned to a contingency operation as designated by Secretary of Defense.

8. **Dependent COT Leave Travel.** Rules for COT leave travel are given in table below.

WHEN ...	THEN ...
dependents are entitled to COT leave travel,	they may travel with Servicemember at time Servicemember is granted COT leave travel, or travel independently of Servicemember. NOTE: COT leave travel must be performed before expiration of 1 year after date on which Servicemember begins consecutive tour of duty at same PDS or reports to another PDS OCONUS.
COT leave travel is deferred,	dependent PCS travel entitlement will be limited to direct travel between old and new PDSs.
dependents leave travel on a re-tour is deferred,	cost limit of leave travel, when taken, is described in JFTR, para. U7200-C.

9. **Cost Limits of COT Leave Travel.** Dependents are able to begin PCS travel anytime after receipt of PCS orders by Servicemember. Cost limits for dependent travel will be as specified in table below.

WHEN ...	AND ...	THEN ...	AND ...
PCS travel is begun by dependents,	a COT leave travel entitlement on their behalf is used,	cost limit of travel entitlement is described in JFTR, para. U7200-C.	
there is no PCS, but rather a re-tour at same PDS, with or without a change of activity or unit identification code,		COT leave travel entitlement for dependents shall not begin until Servicemember completes first prescribed accompanied-by-dependents area tour,	must be performed before expiration of 1 year after date on which Servicemember begins consecutive tour of duty at same PDS, cost to be limited to round trip cost to appropriate leave travel point.

10. **Travel Exceeding HOR Distance**

a. Requests for COT leave travel to any place farther distant than to HOR should be forwarded to Chief of Naval Operations (CNO) (N130E), Travel and Transportation Branch Chief, for action.

b. Authorization by CNO (N130E) may be granted for unusual circumstances, i.e.,

(1) member's old and new PDS and HOR in same geographic location, or

(2) travel to HOR in conjunction with travel via designated location of dependents (JFTR, para. U5120-G) when both HOR and designated location of dependents are in same country.

c. Requests must be submitted, and authorization received, prior to member's transfer.